

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 30, 2017**

**TO:** Honorable Four Price, Chair, House Committee on Public Health

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1939** by Coleman (Relating to the regulation of the sale of dextromethorphan to minors; providing civil penalties.), **As Introduced**

No significant fiscal implication to the State to administer the provisions of the bill is anticipated, save for an indeterminate revenue gain associated with the collection of additional civil penalties from business establishments that violate the provisions of the bill.

The bill would amend the Health and Safety Code to prohibit a business establishment from dispensing, distributing or selling dextromethorphan to a customer under the age of 18. The bill would require a business establishment to require a customer obtaining the drug to display a form of identification unless from the customer's outward appearance, the person making the sale could reasonably presume the customer to be 27 years of age or older. The bill would require a business establishment to pay a civil penalty of \$150 for the second violation and \$250 for each subsequent violation after receiving a warning from the county or district attorney upon the first violation. The bill would take effect September 1, 2017.

There would be an indeterminate revenue gain to the state depending on the number of violations committed. The Office of Court Administration indicates that there will be no significant fiscal impact to the state court system and any costs associated with bill could be absorbed within existing resources. The Office of the Attorney General indicates that any costs associated with the bill could be absorbed within existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

**LBB Staff:** UP, KCA, EP, MDI, JGA, SD, EK