

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 21, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB210** by Kolkhorst (Relating to the required repeal or amendment of two state agency rules before adoption of a new state agency rule that increases costs to regulated persons.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to restrict a state agency from adopting a proposed rule for which the fiscal note for the notice of the proposed rule states that the rule imposes a cost on any regulated person, including another state agency, a special district and a local government, unless on or before the effective date of the proposed rule the state agency repeals or amends two state agency rules that would decrease total costs on the person in an amount equal to or greater than the cost imposed by the proposed rule, or the agency repeals one rule and amends another rule which would decrease the total costs on the person in an amount equal to or less than the proposed rule. The bill would apply the restriction to a "state agency" as defined by Section 2001.006 of the Government Code. The restriction would not apply to a rule that relates to state agency procurement or is amended to reduce the burden or responsibilities imposed on a regulated person by the rule or decrease the person's cost for compliance with the rule.

The bill would take effect on September 1, 2017 only if a specific appropriation for implementation of the bill is provided in the General Appropriations Act of the 85th Legislature.

This analysis assumes that costs to implement the provisions of the bill could be absorbed within existing resources.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts, 307 Secretary of State, 360 State Office of Administrative Hearings, 405 Department of Public Safety, 451 Department of Banking, 452 Department of Licensing and Regulation, 458 Alcoholic Beverage Commission, 503 Texas Medical Board, 537 State Health Services, Department of, 551 Department of Agriculture, 582 Commission on Environmental Quality, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 781 Higher Education Coordinating Board

LBB Staff: UP, CL, WP, LCO, NV, EK, ASa