

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 9, 2017

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB965 by Zaffirini (Relating to the creation and operation of a park and recreation district in counties that share a border on the San Marcos River and to the authority of the district to collect fees and issue bonds; creating a criminal offense.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code by allowing two counties that share a border on the San Marcos River may create a parks and recreation district. The bill specifies the conditions for the creation of the district, costs of creation and organization of the district, appointment and qualifications of board members, compensation and reimbursement, powers and duties, enforcement of district rules and ordinances, disposition of fines, annual budget and management plan, contributions for roads in district, disannexation, and dissolution of the district.

The costs necessarily incurred in the creation and organization of the district may be paid from the district's revenue from any source, and the district would be allowed to borrow money on terms and conditions determined by the board. Board members are not entitled to compensation but are entitled to reimbursement for necessary expenses.

Any fines imposed for violations issued by officers operating under contract with the district would be split 75 percent to the district and 25 percent to the county in which the court is located. The district would be prohibited from imposing an ad valorem tax. The district would be allowed to charge fees for equipment rentals and shuttle service but the fee is not to exceed \$4 per person. A person whom collects a fee and does not hold a revenue permit commits a Class C misdemeanor or Class B misdemeanor if they have been previously convicted for the same offense. The district would have authority to issue revenue bonds after approval by a majority of voters.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise the bill would take effect September 1, 2017.

Local Government Impact

The impact of the bill on local government would depend on the counties deciding to create a district and the extent to which the district would pursue district powers outlined in the bill (e.g., noise abatement, traffic control, litter abatement, safety, or natural resource conservation).

A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, or both. A Class C misdemeanor is punishable by a fine of not more

than \$500. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies:

LBB Staff: UP, JGA, GG, BM