

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 16, 2019

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB71 by Martinez (Relating to the creation of regional transit authorities; granting the power of eminent domain; providing authority to issue bonds and charge fees; creating a criminal offense.), **As Engrossed**

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| <p>No significant fiscal implication to the State is anticipated.</p> |
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The bill would amend the Transportation Code to allow certain counties to establish a regional transit authority and defines certain powers and responsibilities for these authorities. Regional transportation authorities established under this bill would be allowed to issue bonds, subject to examination by the Attorney General. The bill would allow the authority to prohibit the use of the public transportation system by a person without payment of the appropriate fare.

An offense under the provisions of the bill would be a misdemeanor punishable by a fine of not more than \$100. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

According to the Department of Transportation, the bill would have minimal operational impact and would not have a fiscal impact as the authority would not be eligible for state funds appropriated to the agency for public transportation purposes.

According to the Office of the Attorney General (OAG), there would be no significant fiscal impact as a result of this bill. The OAG anticipates any legal work resulting from the passage of this bill could be reasonably absorbed with current resources.

Local Government Impact

According to the Department of Transportation, the bill does not create any requirement for local governments to participate in a transit authority; however, there may be local negotiations which could result in financial or in-kind support for the transit authority.

According to the Comptroller of Public Accounts, Cameron, Hidalgo, and Willacy Counties are eligible to be included in the boundaries of the regional transit authority. The extent of property acquisition; operating costs; bond obligations; and toll, fee, or other revenue of the prospective authority are unknown and consequently the fiscal implications for the regional transit authority and local taxing jurisdictions cannot be determined.

An offense under the provisions of the bill would be a misdemeanor punishable by a fine of not more than \$100. Lost revenue from reduced fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts,
601 Department of Transportation

LBB Staff: WP, JGAn, SD, GP, TG, JSm