

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 15, 2019**

**TO:** Honorable Trey Martinez Fischer, Chair, House Committee on Business & Industry

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

**IN RE: HB291** by Springer (Relating to the authority of a political subdivision to issue a building construction permit or final certificate of occupancy for a building or facility required to meet certain accessibility standards; providing an administrative penalty.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Texas Commission of Licensing and Regulation to impose an administrative penalty on a political subdivision that issues a building permit or a final certificate of occupancy for certain types of buildings if the plans and specifications for construction or modification have not been approved by the Texas Department of Licensing and Regulation or if an inspection has not been performed within one year of the first anniversary of the date of construction or modification. The administrative penalty would be determined by multiplying the population of the political subdivision by one cent. The bill would restrict appropriations of any collections from this administrative penalty to the Trusteed Programs Within the Office of the Governor for the purpose of informing the public of disability issues.

It is assumed that the provisions of the bill relating to assessing penalties could be absorbed using existing resources.

This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either in, with, or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

**Local Government Impact**

The bill could have fiscal implications for local government, especially if a populous political subdivision repeatedly violates the statute. However, it cannot be determined how much the political subdivisions will comply with the statute so an impact cannot be estimated.

**Source Agencies:**        300 Trusteed Programs Within the Office of the Governor, 303 Facilities Commission, 304 Comptroller of Public Accounts, 452 Department of

Licensing and Regulation

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