

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 7, 2019**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

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

**IN RE: SB349** by Seliger (Relating to the regulation of the sale of dextromethorphan to minors; providing civil penalties.), **As Introduced**

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

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 establish a violation of this prohibition as a civil penalty with fines of up to \$250 per violation.

According to the Office of Court Administration, although the bill creates a new civil enforcement action, any increased caseload would likely be absorbed by existing resources. While there may be increased revenue to the state from the civil penalty, no significant fiscal impact to the state court system is anticipated.

**Local Government Impact**

An offense under the provisions of the bill would be punishable by a fine of up to \$250 per violation. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

According to the Texas Association of Counties, the bill is not anticipated to have a significant fiscal impact on counties.

**Source Agencies:**        212 Office of Court Administration, Texas Judicial Council, 304  
   Comptroller of Public Accounts

**LBB Staff:** WP, GP, AKi, SD