

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 23, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB29 by Swanson (Relating to authorizing the provision of temporary secure storage for weapons at certain public buildings; authorizing fees.), **As Passed 2nd House**

Costs and gains associated with implementing the provisions of the bill are dependent on the amount of secure weapons storage state agencies install in buildings under their control, fees state agencies charge for weapons storage, costs associated with storing unclaimed weapons, and proceeds from the sale of forfeited weapons. Therefore, the fiscal implications of the bill cannot be determined.

The bill would amend Chapter 2165, Government Code to authorize state agencies to provide temporary secure storage of weapons in buildings under their control, for a person who enters the building or portion of the building with a weapon that is prohibited in that building or portion of the building. The bill would require that the temporary secure weapons storage be provided by self-service weapon lockers or other temporary secure weapon storage operated at all times by a designated state agency employee. The bill would provide a process for securing weapons. The bill would authorize a state agency to collect a fee for temporary secure weapon storage.

The bill would prescribe a process for storage of unclaimed weapons. The bill would prescribe a process for notifying the person who placed the weapon in storage that the weapon is subject to forfeiture after 30 days in storage. After the weapon has been in storage for 30 days, if the weapon may be legally possessed in this state, the weapon may be sold at auction. Proceeds from the sale of forfeited weapons would be deposited to the General Revenue Fund.

It is unknown how many state agencies would choose to provide secure weapons storage, in how many buildings under their control they would provide secure weapons storage, the number of weapons that would be stored, the level of fees state agencies would set, the number of weapons that would be subject to forfeiture, and the amount of revenue the sale of forfeited revenue would generate for the state. Therefore, the fiscal implications of the bill are indeterminate.

As an example, the Texas Facilities Commission (TFC) provided an estimate of the costs of providing secure weapons storage using self-service weapons lockers. TFC estimates that implementing provisions of the bill would require the following one-time costs: installing 143 weapon lockers in 69 buildings at a cost of \$60,025, installing workstations with fingerprint scanners to provide receipts at deposit at a cost of \$174,570, and installing cameras to monitor retrieval at the weapon lockers at a cost of \$875,875. TFC estimates total one-time costs of \$1.1 million. TFC estimates ongoing costs associated with adding 1.0 FTE to monitor and maintain the system, the replacement of 15 lockers each year, and regular maintenance and repair of security cameras. TFC estimates a total cost of \$1.3 million in the 2022-23 biennium to implement the provisions of the bill. TFC did not provide an estimate of fee revenue for temporary secure weapon storage.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time. Costs and gains associated with implementing the provisions of the bill are dependent on the amount of secure weapons storage local governments install in buildings under their control, fees charged for weapons storage, costs associated with

storing unclaimed weapons, and proceeds from the sale of forfeited weapons.

According to Chambers County, no fiscal impact is anticipated to the county. Bexar County estimates a fiscal impact of \$759,700 in yearly personnel costs and a one-time cost of \$24,000 for storage locker purchasing.

According to the City of Houston, no fiscal impact is anticipated.

Source Agencies: 212 Office of Court Admin, 303 Facilities Commission, 405 Department of Public Safety

LBB Staff: JMc, LBO, SMAT, BRI, DKN, SD, AF, CMA