

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 17, 2021**

**TO:** Honorable DeWayne Burns, Chair, House Committee on Agriculture & Livestock

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3289** by González, Mary (relating to the penalties for a violation of a quarantine or rule to protect pecans or pecan trees from diseases or pests; increasing civil penalties.), **Committee Report 1st House, Substituted**

**The fiscal implications to the State cannot be determined because the number of penalties and the amount that would be assessed by the Texas Department of Agriculture is unknown.**

The bill would establish a civil penalty of between \$500 and \$20,000 for violating provisions of the Agriculture Code related to the protection of pecans or pecan trees from disease or pests by making persons that violate for each violation. The bill would permit remedying of the first assessment of this civil penalty or a Class C misdemeanor offense by entering into a compliance agreement with the Texas Department of Agriculture (TDA) and returning, treating, or destroying the item subject to the quarantine as directed by TDA.

Based on the analysis of the TDA, duties and responsibilities associated with implementing the provisions of the bill could be absorbed with available resources.

Based on the analysis of the Comptroller of Public Accounts, the revenue implications of the civil penalties cannot be estimated because the number of penalties and the amount that would be assessed by the TDA is unknown.

The bill would take effect September 1, 2021.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 304 Comptroller of Public Accounts, 551 Department of Agriculture

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