

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 9, 2021

TO: Honorable Ken King, Chair, House Committee on Culture, Recreation & Tourism

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3710 by Ordaz Perez (Relating to a prohibition on public contact with certain animals; imposing a civil penalty; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to prohibit a person from allowing a member of the public to have direct contact with certain animals. The bill would make a person liable for a civil penalty for each animal subject to the violation and for each day the violation continues and allows the attorney general or appropriate district or county attorney to bring an action to collect the civil penalty. The bill makes it a Class A misdemeanor offense for a person to violate the prohibition. The bill would detail the effects of the subchapter on preemption of local regulations.

Based on the analysis of the Office of Court Administration and the Office of the Attorney General, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing existing resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

Based on the analysis of the Comptroller, the bill could result in an increase in criminal penalty revenue; however, the amount of the increases cannot be estimated, as the number of cases of non-compliance resulting in criminal penalty fee revenue, court costs, or fees is unknown.

The bill would take effect September 1, 2021.

Local Government Impact

The offense created by the bill would be a Class A misdemeanor. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

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

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, AJL, MW, BH, AF