

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 12, 2021

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3807 by Hunter (Relating to the use of lifeguards and informational signs to improve safety on public beaches.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3807, As Engrossed : an impact of \$0 through the biennium ending August 31, 2023.

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

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	\$0
2023	\$0
2024	\$0
2025	\$0
2026	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from Sporting Goods Sales Tax Transfer to GR-D 64</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$710,440)	9.3
2023	(\$422,335)	9.3
2024	(\$429,271)	9.3
2025	(\$422,835)	9.3
2026	(\$429,271)	9.3

Fiscal Analysis

The bill would amend the Natural Resources Code and the Parks and Wildlife Code to require cities, counties, and state parks to post lifeguards in towers during daylight hours from March through November on each side of every pier, jetty, or other structure that protrudes into the Gulf of Mexico. A single occupied lifeguard tower at each structure would be sufficient if the tower provided an unobstructed view of both sides of the structure. The bill would also require these entities to post signs within 100 yards of each side of each structure describing dangerous water conditions that may occur.

The bill would take effect September 1, 2021.

Methodology

The Texas Parks and Wildlife Department (TPWD) indicates that the only state park that would be affected by the bill's requirements is Mustang Island State Park, which has five miles of beach on the Gulf of Mexico, including two jetties. Based on information provided by TPWD, it is assumed that the installation of two lifeguard towers would be required at \$125,000 each in fiscal year 2022. The warning signs required by the bill would cost \$9,549 in fiscal year 2022, and \$7,549 each subsequent year.

Based on information provided by TPWD, the agency would need 1.0 Park Ranger I at \$39,837 per year and 8.3 Lifeguards at \$27,030 per year for each lifeguard. Salary, benefits, and other costs associated with these FTEs would be \$367,155 in fiscal year 2022 and \$354,586 each subsequent year. To accommodate these FTEs, the agency would need to rent office space and a storage shed at a cost of \$13,800 per year. Lifeguard equipment would cost \$16,100 in fiscal year 2022. Lifeguard instructor training, which is required every three years, would cost \$500 in fiscal year 2022 and in fiscal year 2025. Red Cross instructor training would cost \$6,936 every two years, beginning in fiscal year 2022. Vehicles, radios, and outfitting would cost \$46,400 per year.

Costs related to the bill would be paid from Sporting Goods Sales Tax Transfer to State Parks Account No. 64, an account that is not counted towards certification.

Local Government Impact

The bill's provisions requires counties and municipalities located or bordering on the Gulf of Mexico to provide occupied lifeguard towers during daylight hours from March through November. There may be a fiscal impact to applicable municipalities and counties, however the extent of the impact cannot be determined at this time.

Source Agencies: 802 Parks and Wildlife Department

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