

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 16, 2021

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4346 by Leman (Relating to the possession, carrying, or transportation of a firearm or alcoholic beverage by certain persons during the use of an easement.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Property Code to provide that an instrument granting an access easement or appurtenant easement may not restrict or prohibit an easement holder or easement holder's guest from possessing, carrying, or transporting a firearm while using the easement for the easement's purposes.

The bill would prevent the owner of a servient estate from enforcing a restrictive covenant in an instrument granting an easement on the servient estate that restricts or prohibits the easement holder or easement holder's guest from possessing, carrying, or transporting a firearm while using the easement for the easement's purpose.

Based on information provided by the Office of Court Administration and the Texas Alcoholic Beverage Commission, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

This analysis assumes implementing the provisions of the bill would not result in a significant impact on state correctional populations or on the demand for state correctional resources.

Local Government Impact

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

Source Agencies: 212 Office of Court Admin, 458 Alcoholic Beverage Commission

LBB Staff: JMc, SMAT, KFB, DKN, BH