

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATURE 4th CALLED SESSION 2023**

**November 15, 2023**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate

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

**IN RE: SB3** by Huffman (Relating to an appropriation to provide funding for the construction, operation, and maintenance of border barrier infrastructure and border security operations, including funding for additional overtime expenses and costs due to certain increased law enforcement presence.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB3, As Passed 2nd House : a negative impact of (\$1,540,000,000) through the biennium ending August 31, 2025.

**Appropriations:**

<i>Fiscal Year</i>	<i>Appropriation out of General Revenue Fund 1</i>
2024	\$1,540,000,000
2025	\$0

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2024	(\$1,540,000,000)
2025	\$0
2026	(\$54,731,726)
2027	(\$54,731,726)
2028	(\$54,731,726)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$1,540,000,000)	23.0
2025	\$0	23.0
2026	(\$54,731,726)	23.0
2027	(\$54,731,726)	23.0
2028	(\$54,731,726)	23.0

**Fiscal Analysis**

The bill would appropriate \$1.54 billion in General Revenue Funds to the Office of the Governor's Trusted Programs (OOG) for border security operations and the construction, operation, and maintenance of border

barrier infrastructure. Of the appropriated amount, the bill would designate \$40.0 million to be transferred to the Department of Public Safety for border security operations, which includes paying for additional overtime expenses and costs due to public safety issues in the Colony Ridge development located in Liberty County, Texas.

The bill would prohibit included appropriations from being used to: acquire property through the exercise of eminent domain; build a barrier along the state's international border with Mexico on property acquired through the exercise of eminent domain; acquire property for a barrier that abuts the jurisdictional boundary between this state and another U.S. state; or build a barrier that abuts the jurisdictional boundary between this state and another U.S. state.

### **Methodology**

This analysis assumes that the OOG would grant the undesignated funding to the Texas Facilities Commission (TFC), given that TFC has received the majority of prior funding for the construction of new border barrier alignments. This analysis also assumes that TFC would be designated responsibility for operations and maintenance of the border barrier.

### **Local Government Impact**

The bill would include the provision of grants to local governments and local law enforcement agencies to alleviate costs associated with an increased demand on local prosecutorial, judicial, and correctional resources as a purpose for which the bill's appropriation may be spent. The related fiscal implications cannot be determined as the timing, number, and amounts of any such grants are unknown.

**Source Agencies:** 300 Trusteed Programs Within the Office of the Governor, 303 Facilities Commission, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation

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