

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 17, 2023**

**TO:** Honorable Charles Perry, Chair, Senate Committee on Water, Agriculture & Rural Affairs

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

**IN RE: SB1648** by Parker (relating to the centennial parks conservation fund.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

This bill would amend the Parks and Wildlife Code by adding Chapter 21-A, related to the Centennial Parks Conservation Fund ("Fund"). The bill would make the Comptroller the administrator of the Fund. The bill would direct that the Fund be held by the Treasury Safekeeping Trust Company ("TSTC") and would require the TSTC to manage and invest the fund and determine amounts available from the Fund for distribution to Texas Parks and Wildlife Department (TPWD) in accordance with a distribution policy adopted by the Comptroller. TPWD would be required to provide cash flow forecasts to the TSTC at least once per year. TPWD would also be required to provide a report on each acquisition funding using money from the Fund within its Strategic Plans submitted under Section 2056.002 of the Government Code.

The bill would allow TPWD to request a distribution from the Fund from the TSTC to acquire property for the creation and improvement of publicly accessible state parks. The bill would require TPWD to submit a request to the Legislative Budget Board (LBB) for approval of a proposed acquisition of real property before the property is acquired. The will would consider a request submitted to the LBB as being approved on the 30th day after the date the request was submitted unless the request was either approved or disapproved before that date. The bill would specify that money from the Fund could not be used by TPWD to pay salaries; employee benefits; administration, operating, or program costs; or for maintenance or operation of state parks.

This bill would take effect January 1, 2024, contingent upon the approval of a constitutional amendment providing for the creation of the Centennial Parks Conservation Fund (Senate Joint Resolution 74) by voters. The primary fiscal implications of the creation of this fund are reflected in the fiscal note for this resolution. Based on information provided by TPWD, costs associated with implementing the provisions of the bill could be absorbed using existing resources. Based on information provided by the Comptroller of Public Accounts (CPA), administrative costs for the CPA would not be incurred but there could be challenges regarding investment objectives detailed in the bill given that the proposed Fund cannot be invested in a manner that simultaneously preserves purchasing power, provides a stable stream of distributions, and provides for any liquidity needs.

This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either in, with, or outside the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 802 Parks and Wildlife Department

**LBB Staff:** JMc, SZ, MW, EJ