

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 17, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SJR74 by Parker (Proposing a constitutional amendment providing for the creation of the centennial parks conservation fund.), **As Passed 2nd House**

The fiscal implications of the bill cannot be determined because appropriations, transfers, deposits, investment and interest earnings, gifts, grants, or donations to the credit of the Centennial Parks Conservation Fund are unknown at this time.

The cost to the state for publication of the resolution is \$204,406.

The proposed amendment to Article III of the Texas Constitution would add Section 49-e-1 which would create the Centennial Parks Conservation Fund ("Fund") as a fund outside of the state treasury to be used only for the creation and improvement of state parks. The Fund would consist of appropriations; money transferred or credited by the Legislature; investment and interest earnings on amounts credited to the fund; and gifts, grants, and donations. The amendment would permit the Legislature to appropriate money from the Fund to the Texas Parks and Wildlife Department (TPWD) or its successor. The amendment would specify that for the purposes of Section 22, Article VIII, of the Constitution, money in the Fund is dedicated by the Constitution and that an appropriation of state tax revenues for the purpose of depositing money to the credit of the Fund is treated as if it were an appropriation dedicated by the Constitution. The amendment would direct reasonable expenses incurred by managing the fund and its assets to be paid from the Fund.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 7, 2023.

Based on the analysis of the CPA, further fiscal implications of the amendment cannot be determined because amounts of any future appropriations, transfers, deposits, investment and interest earnings, gifts, grants, or donations that would be deposited to the credit of the Fund are unknown.

Based on information provided by TPWD, it is assumed that if funding for land acquisition was available, suitable land was identified and available for purchase, and the purchase was approved, as necessary, per the enabling legislation, the agency could incur staffing and operational costs to develop new parks and to expand existing parks. Further analysis of these potential costs is included in the cost estimate for Senate Bill 1648.

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, SD