

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 21, 2025

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB2846 by Perry (Relating to the control of disease in wildlife; creating criminal offenses; authorizing an administrative penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB2846, As Introduced: an impact of \$0 through the biennium ending August 31, 2027.

However, there is an estimated two year net impact of (\$677,333) to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 through the biennium ending August 31, 2027.

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>
2026	\$0
2027	\$0
2028	\$0
2029	\$0
2030	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from Game,Fish,Water Safety Ac 9</i>	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$391,500)	2.0
2027	(\$285,833)	2.0
2028	(\$286,456)	2.0
2029	(\$286,456)	2.0
2030	(\$287,080)	2.0

Fiscal Analysis

The bill would amend the Parks and Wildlife Code and the Agriculture Code to provide authority to the Texas Parks and Wildlife Department (TPWD) to establish quarantine zones to control and prevent the spread of disease in native wildlife species like the existing authority held by the Texas Animal Health Commission (TAHC) for livestock. The bill would require the TPWD and TAHC to enter into a memorandum of understanding (MOU) no later than November 1, 2025, relating to the transfer of the administration of disease

control in wildlife as defined by the bill. The bill would require the MOU to include a timetable and specific steps and methods for completing the transfer no later than September 1, 2026. The bill would prohibit TPWD from superseding or infringing on the authority of any other state agency, including TAHC relating to livestock, exotic livestock, domestic fowl, or exotic fowl. The bill would require TPWD to assume responsibility for disease control efforts in wildlife and work collaboratively with other agencies to enable each agency to effectively to carry out its responsibilities.

The bill would create several new criminal offenses related to diseased wildlife with penalties ranging from a Class C Parks and Wildlife Code misdemeanor to a Parks and Wildlife Code felony.

The bill would allow the Texas Parks and Wildlife Commission to impose administrative penalties for violations of the new subchapter of up to \$5,000 for each day a violation occurs or continues. The administrative penalties would be required to be remitted to the Comptroller and deposited to the General Revenue Fund.

Methodology

Costs from General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 reflected in the table above are based on information provided by TPWD. Based on this information, this analysis assumes the costs for two additional FTEs, including one Veterinarian and one Program Supervisor, and associated equipment, vehicle, and operating costs totaling \$391,500 in fiscal year 2026; \$285,833 in fiscal year 2027; \$286,456 in fiscal year 2028; \$286,456 in fiscal year 2029; and \$287,080 in fiscal year 2030, would be necessary to implement the provisions of the bill. These amounts include salary amounts of \$211,463 in fiscal year 2026-29 and \$212,423 in fiscal year 2030; travel and other operating expenses of \$11,100 each fiscal year; one-time equipment costs of \$105,667 in fiscal year 2026; agency payroll contribution costs of \$3,172 in fiscal years 2026-27, \$3,179 in fiscal years 2028-29, and \$3,186 in fiscal year 2030; and benefit costs of \$60,098 in fiscal years 2026-27, \$60,234 in fiscal years 2028-29, and \$60,371 in fiscal year 2030.

Based on analysis from the Comptroller of Public Accounts, the fiscal implication of the bill cannot be determined because the number of violations and offenses that would occur and the amount of penalties and fines that would be assessed, collected, and deposited to the credit of GR is unknown.

Based on information provided by the Office of Court Administration, the fiscal impact to the state court system cannot be determined because there is no data available to project the number of individuals who may be prosecuted under the new offenses.

Under current law, TAHC reports relying on data provided by TPWD to determine if quarantine zones would need to be established for white tailed deer. Using TPWD data, TAHC established quarantine zones for white tailed deer totaling 2 in fiscal year 2016; 1 in fiscal year 2020; 2 in fiscal year 2021; 2 in fiscal year 2022; 12 in fiscal year 2023; 7 in fiscal year 2024; and 1 in fiscal year 2025 for an average of 3.2 zones per year since 2016. Under the provisions of the bill, TAHC would no longer be using resources to establish these quarantine zones, which would be established by TWPD.

Based on information provided by the Texas Commission on Environmental Quality, the the State Office of Administrative Hearings, and the TAHC, it is assumed that any additional workload associated with the bill could be absorbed using existing resources.

It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

Local Government Impact

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 360

State Office of Administrative Hearings, 554 Animal Health Commission, 582 Commission on
Environmental Quality, 802 Parks and Wildlife Department

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