

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 28, 2009

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3485 by Coleman (Relating to the administration of certain county services and duties, including the administration of county assistance districts.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, Election Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, and Tax Code relating to administration of various county services and duties.

Additionally, the bill specifically would amend Section 387 of the Local Government Code to authorize the creation of more than one county assistance district in a county and sets out procedures for creating more than one district. The bill would also amend statutes regarding powers, duties, operations, elections, and sales and use tax change of a county assistance district. Under current statute, if an election is held and the vote is against the creation of a district, another election may not be held prior to the first anniversary of the most recent election concerning the creation. Under the proposed change in statute, one or more election may be held, and the limit on when the election could be held would be removed.

Local Government Impact

It is anticipated that the proposed changes in the Code of Criminal Procedure, Election Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, and Tax Code relating to administration of various county services and duties would provide a positive fiscal impact for counties that would vary by county.

Based on analysis provided from the Texas Association of Counties (TAC), the costs to implement the changes in Section 387 of the Local Government Code would vary by county depending on if an associated election coincides with other elections previously determined to take place in the county or if an election is held alone. As an example, TAC cited special election costs for Waller County at \$20,920 and Kaufman County at \$35,000. (Election costs vary depending not only on the type of election, but also on the number of eligible voters and number of precincts.)

Source Agencies:

LBB Staff: JOB, DB, KJG, TP