

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 28, 2013

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1614 by Phillips (Relating to the management, breeding, and destruction of deer and to procedures regarding certain deer permits.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1614, As Introduced: a negative impact of (\$92,182) through the biennium ending August 31, 2015.

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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$46,091)
2015	(\$46,091)
2016	(\$46,091)
2017	(\$46,091)
2018	(\$46,091)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from General Revenue Fund 1	Probable (Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2013
2014	\$69,137	(\$115,228)	1.0
2015	\$69,137	(\$115,228)	1.0
2016	\$69,137	(\$115,228)	1.0
2017	\$69,137	(\$115,228)	1.0
2018	\$69,137	(\$115,228)	1.0

Fiscal Analysis

The bill would amend portions of the Parks and Wildlife Code relating to the process to refuse to issue or renew certain deer permits, the duration of a deer permit, the process to notify a deer breeder if it is believed the breeder holds deer posing a disease risk, and the destruction of deer covered by a deer breeder permit or deer management permit (white-tailed or mule).

Under bill provisions, the Texas Animal Health Commission (TAHC) would be required to provide a veterinarian to assess the disease/health threat of certain breeder or managed deer, under certain conditions. The bill would provide that any state-implemented destruction of white tail deer held at a deer breeding facility, or white tail or mule deer held on acreage covered by a permit only be carried out after an epidemiological assessment by the TAHC and a subsequent destruction order by the TAHC Executive Director.

A deer breeder permittee holding game necessitating an epidemiological assessment would be required to pay for all costs associated with the assessment and subsequent destruction, if any. The Texas Parks and Wildlife Department (TPWD) and TAHC would divide the payment to cover costs incurred.

The bill would take effect on September 1, 2013.

Methodology

Under bill provisions, TAHC would need one additional veterinarian to conduct 15-20 epidemiological assessments and/or threat analyses per fiscal year. This workload is based upon historical averages of requests provided by TPWD to TAHC. Also, a TAHC agent would need to be present at any subsequent destruction of deer, if any.

TAHC reports the total anticipated salary, benefits, travel, and incidental operating costs for the veterinarian position would be \$115,228 per fiscal year. A portion of these expenses would be recovered from the deer permittees, as required under bill provisions, to be split between TPWD and TAHC. However, this analysis estimates the actual recovery will be at 60 percent of actual costs, based on historical information provided by TPWD to TAHC.

TPWD indicates it would have minimal additional expenses under bill provisions for programming the department’s deer breeder database, including costs for establishing three and five-year permits. Also, TPWD anticipates additional attorney expenses for representing the department in hearings on permit non-renewals or revocations at the State Office of Administrative Hearings and in subsequent appeals, if any, in a district court. However, this analysis assumes these costs can be reasonably absorbed within the department’s existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 554 Animal Health Commission, 802 Parks and Wildlife Department

LBB Staff: UP, TB, SZ, ZS, KJo, JP