

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 26, 2017

TO: Honorable Gary Elkins, Chair, House Committee on Government Transparency & Operation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB462 by Dale (Relating to a report on legislation that includes a grant of rulemaking authority and rules adopted under that authority.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB462, As Introduced: a negative impact of (\$220,848) through the biennium ending August 31, 2019.

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
2018	(\$116,316)
2019	(\$104,532)
2020	(\$104,532)
2021	(\$104,532)
2022	(\$104,532)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund	Change in Number of State Employees from FY 2017
2018	(\$116,316)	2.0
2019	(\$104,532)	2.0
2020	(\$104,532)	2.0
2021	(\$104,532)	2.0
2022	(\$104,532)	2.0

Fiscal Analysis

The bill would amend the Government Code relating to a report on legislation that includes a grant of rulemaking authority and rules adopted under that authority. The bill requires the Secretary of State (SOS) to prepare and submit a report to the Legislature no later than the 5th day of each

Regular Session that includes a summary of each act passed during the preceding session and any preceding special sessions that grants rule making authority. The report must include the full text of all rules adopted by all state agencies pursuant to the grant of rulemaking authority in each such act. The bill also permits the SOS to request assistance from Texas Legislative Council in preparing the report and requires Texas Legislative Council to provide this assistance.

The bill would take effect on September 1, 2017.

Methodology

Under the provisions of the bill, the Secretary of State would incur costs associated with reviewing all passed legislation and new agency rules following regular and special legislative sessions. The agency indicates it would require \$220,848 and 2.0 additional FTEs for the 2018-19 biennium to identify acts passed during the most recent legislative session that grant rulemaking authority and review all new agency rules to determine if each rule was adopted pursuant to one of those acts. The \$220,848 would include \$104,532 in salaries and other staff-related costs each fiscal year and a one-time expense of \$11,784 in 2018 for equipment purchases. The agency assumes it would produce and transmit the report electronically, incurring no printing or postage costs.

Texas Legislative Council assumes any additional work associated with implementing the provisions of the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 103 Legislative Council, 307 Secretary of State

LBB Staff: UP, LBO, NV, ASa, RC, MW