

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 12, 2003

TO: Honorable Kino Flores, Chair, House Committee on Licensing & Administrative Procedures

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB329 by Naishtat (Relating to the regulation of mold assessors and remediators; providing civil and administrative penalties.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB329, As Introduced: a positive impact of \$84,447 through the biennium ending August 31, 2005.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$31,511
2005	\$52,936
2006	\$52,936
2007	\$52,936
2008	\$52,936

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/ (Loss) from <i>GENERAL REVENUE FUND 1</i>	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Change in Number of State Employees from FY 2003
2004	\$762,500	(\$730,989)	6.0
2005	\$762,500	(\$709,564)	13.0
2006	\$762,500	(\$709,564)	13.0
2007	\$762,500	(\$709,564)	13.0
2008	\$762,500	(\$709,564)	13.0

Fiscal Analysis

The bill would require the Department of Health (TDH) to implement a mold assessment and remediation program. TDH would be required to conduct education and outreach activities and assess fees for licensing and examinations. Except for certain property owners and tenants, licenses would be required for those engaged in mold assessment and remediation activities. TDH would take disciplinary action when needed against a licensee and provide for hearings and appeals. The bill also authorizes administrative penalties not to exceed \$5,000 per day for each violation and civil penalties not to exceed \$2,000 for the first offense and \$10,000 for subsequent offenses. The bill requires TDH to adopt rules by April 1, 2004. Effective September 1, 2003.

Methodology

It is assumed that a total of 13 FTEs and related operating costs would be required in order to develop the licensing, an enforcement program and an education program about the health implications of mold growth. The FTEs are adjusted in fiscal year 2004 to allow for start-up. The following estimated revenue will be gained from the fees: 300 assessment consultants with a fee of \$300 per applicant; 600 assessment technicians with a fee of \$100 per applicant, 200 remediation contractors with a fee of \$300 per applicant, 500 remediation supervisors with a fee of \$150, 1,500 remediation workers with a fee of \$50, 15 licensed trainers with a fee of \$500, and 10 certified laboratories with a fee of \$500.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office Of Court Administration, Texas Judicial Council, 302 Office Of The Attorney General, 501 Department Of Health

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