

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 10, 2003

TO: Honorable Dennis Bonnen, Chair, House Committee on Environmental Regulation

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1678 by Chisum (Relating to the creation, management, and use of the radiation and perpetual care account in the general revenue fund.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1678, Committee Report 1st House, Substituted: a negative impact of (\$130,000) through the biennium ending August 31, 2005.

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 |
|-------------|--|
| 2004 | (\$65,000) |
| 2005 | (\$65,000) |
| 2006 | (\$65,000) |
| 2007 | (\$65,000) |
| 2008 | (\$65,000) |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Revenue Gain/(Loss) from <i>New General Revenue Dedicated</i> | Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1 |
|-------------|---|---|
| 2004 | \$208,000 | (\$65,000) |
| 2005 | \$208,000 | (\$65,000) |
| 2006 | \$208,000 | (\$65,000) |
| 2007 | \$136,000 | (\$65,000) |
| 2008 | \$65,000 | (\$65,000) |

The bill would amend statute to replace the Radiation and Perpetual Care Fund with the Radiation and Perpetual Care Account. The bill would allow the Department of Health (TDH) to collect and deposit certain fees related to shipping of radioactive waste to the credit of the new account. Currently, TDH does not have appropriation authority to collect such revenue, even though current statute provides authorization. However, the agency does currently collect administrative penalties as provided under Health and Safety Code Section 401.305 (b) and deposits them to the General Revenue fund. The bill would re-direct these funds into the Radiation and Perpetual Care Account. The bill would take effect September 1, 2003.

Fiscal Analysis

A negative impact to General Revenue results from administrative penalty revenue being redirected under the provisions of the bill to the Radiation and Perpetual Care Account (GR-Dedicated).

Methodology

It is estimated \$143,000 would be collected annually in the Radiation and Perpetual Care Account from FY 2004 through FY 2006 and \$71,000 in FY 2007. This estimate assumes no funds are withdrawn for uses allowable under the bill. The administrative penalties that the agency currently collects amount to \$65,000 per year from FY 2004 through FY 2008. These funds, currently deposited into the General Revenue fund, would be placed in the Radiation and Perpetual Care Account.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 501 Department of Health, 582 Commission on Environmental Quality

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