

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION
Revision 1

May 1, 2003

TO: Honorable George "Buddy" West, Chair, House Committee on Energy Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1843 by West, George "Buddy" (Relating to notice requirements for and risk assessment and prevention in relation to construction around a pipeline facility.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to prohibit a person from building, repairing, replacing, or maintaining a construction on, across, over, or under the easement or right-of-way for a pipeline facility unless notice of the construction is given to the operator of the pipeline facility and the operator determines that the construction would not pose a risk to the public, or damage the pipeline facility; the constructor pays the cost of additional fortifications, barriers, conduits, or other changes, or improvements necessary to protect the public or pipeline facility from risk; or the building, repair, replacement, or maintenance is conducted under an existing written agreement. The bill would provide definitions for construction, constructor, and pipeline facility. The bill would clarify circumstances to which the requirements of the bill would apply.

Based on the analyses of the Texas Department of Transportation, the Railroad Commission, the Building and Procurement Commission, the Youth Commission, the Department of Mental Health and Mental Retardation, the Adjutant General's Department, the Texas Military Facilities Commission, the Department of Health, the Department of Criminal Justice, the Parks and Wildlife Department, it is assumed the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2003. The bill would only apply to an activity described in the bill that would be initiated on or after the effective date.

Local Government Impact

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

Andrews and El Paso counties reported that implementing the provisions of the bill would have a minimal effect on their budgets.

Source Agencies:

LBB Staff: JK, CL, RT, MW