

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION
Revision 1

April 3, 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" (For the purpose of creating notice provisions prior to construction on, over, across or under a pipeline facility and for the determination of whether such construction will increase a risk to the public or a risk of damage to the facility and providing for the construction of such barriers to prevent that risk.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to require persons, or entities, to provide notice to pipeline facility operators prior to building, repairing, replacing or maintaining any construction on, over, across or under a pipeline facility. The bill would provide definitions for construction, constructor, and pipeline facility. The bill would require a pipeline facility operator to determine if the construction would pose a risk to the public, or damage to the pipeline facility, upon receiving such a notice. The bill would prohibit construction from proceeding if a risk would be determined until costs for any necessary changes or improvements to protect the public or pipeline facility from risk were paid by the constructor. The bill would allow construction to proceed when the pipeline facility operator determines that no risk to the public or damage to the pipeline facility would be realized from the project construction.

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, and 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.

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: 303 Building and Procurement Commission, 401 Adjutant General's Department, 406 Texas Military Facilities Commission, 455 Railroad Commission, 501 Department of Health, 601 Department of Transportation, 655 Department of Mental Health and Mental Retardation, 694 Youth Commission, 696 Department of Criminal Justice, 802 Parks and Wildlife Department

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