

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 8, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB3535 by Laubenberg (Relating to certain administrative penalties assessed by the Texas Department of Health.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code, Chapter 485, by increasing the monetary amount of the administrative penalty that the department may assess for each violation of the Abusable Volatile Chemical Act, from \$1,000 to \$5,000 per day. The bill would increase the maximum penalty for violations continuing or occurring on separate days from \$5,000 to \$25,000. The bill would also amend the Health and Safety Code, Chapter 501, by increasing the monetary amount of the administrative penalty that the department may assess for violations of the Hazardous Substances Act from \$1,000 to \$10,000 per day. The bill would eliminate the maximum penalty limit of \$5,000 for violations continuing or occurring on separate days. The bill would provide that these amendments apply only to violations committed on or after the effective date of the bill. The Act would take effect September 1, 2003.

The Texas Department of Health indicated no additional staff or expenses would be required to implement the provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 501 Department of Health

LBB Staff: JK, KF, EB