

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 11, 2005

TO: Honorable Dianne White Delisi, Chair, House Committee on Public Health

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB30 by Eissler (Relating to carbon monoxide detectors in certain residential dwellings; providing civil penalties.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend subtitle A, title 9, of the Health and Safety Code by adding chapter 766 and would amend chapter 92 of the Property Code by adding a new subchapter J.

The bill adds chapter 766, which requires each dwelling constructed after January 1, 2006, that is built as a residence for an individual, be equipped with carbon monoxide detectors before the owner may sell or otherwise transfer the property. Other residential dwellings must have carbon monoxide detectors prior to sale or transfer of the property. Section 766.003 requires the Health and Human Services Commission to adopt rules to implement the new requirement, and section 766.004 requires political subdivisions to comply with rules adopted pursuant to section 766.003.

New subchapter J of the Property Code sets forth landlords' requirements for installation, inspection and repair of carbon monoxide detectors and sets forth the liabilities and remedies related to landlords and tenants regarding this new requirement.

The bill takes effect on September 1, 2005.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 529 Health and Human Services Commission

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