

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**February 28, 2005**

**TO:** Honorable Robert Talton, Chair, House Committee on Urban Affairs

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

**IN RE: HB538** by Bohac (Relating to the construction or operation of chemical dependency treatment facilities near certain residential and community properties.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would limit the location where certain treatment facilities may be constructed or operated. The governing body of the municipality, or municipalities, in which a facility is proposed must issue a resolution of consent before the facility may be established at the proposed location. If the municipality were to hold a public hearing before giving or denying consent, the public hearing would have to be held not later than the 90th day after the date it receives notice that a person intends to construct or operate a treatment facility within 1,000 feet of an affected property.

The bill would take effect September 1, 2005 and would apply only to construction or operation of a treatment facility that begins on or after December 1, 2005.

**Local Government Impact**

If a municipality were to choose to hold a public hearing, it would incur associated costs; otherwise, the only costs incurred would be related to administrative responsibilities.

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

**Source Agencies:**

**LBB Staff:** JOB, DLBa