

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 25, 2005**

**TO:** Honorable Tom Craddick, Speaker of the House, House of Representatives

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

**IN RE: HB1053** by Hope (Relating to the location of certain municipal solid waste landfills. ), **As Passed 2nd House**

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

The bill would prohibit the Texas Commission on Environmental Quality (TCEQ) from issuing permits for new municipal solid waste landfills or areal expansion of an existing municipal solid waste landfill in a county adjacent to a county with a population of more than 3.3 million containing part of a national forest unless: 1) the landfill is located at least 1000 feet from any part of an established residence, place of worship, school, day-care center, or dedicated public park; and 2) the property boundary of the landfill site is located at least 75 feet from the landfill unit, as it is proposed to be constructed or expanded.

The bill would also prohibit the TCEQ from issuing or amending a permit for a new Type I or Type IV municipal solid waste landfill or for the conversion of a Type IV municipal solid waste landfill to a Type I municipal solid waste landfill if the landfill is located in a county adjacent to a county with a population greater than 3.3 million and inside the boundaries of a national forest as designated by the U. S. Forest Service, whether on public or private land.

Any additional workload resulting from the bill's passage could be absorbed using existing TCEQ staff and resources.

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Commission on Environmental Quality

**LBB Staff:** JOB, WP, WK, ZS, TL, KJG