

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 7, 2005

TO: Honorable Dennis Bonnen, Chair, House Committee on Environmental Regulation

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

IN RE: HB1429 by Kuempel (Relating to the enforcement of the prohibition on operating certain rock crushers or concrete plants without the necessary Clean Air Act permit.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 5.5145 of the Water Code to specify that an emergency order does not apply to an owner or operator of a rock crusher or concrete plant for which the owner has failed to renew a permit. An emergency order would apply only to those who have failed to obtain a permit or whose permit has been suspended or revoked.

The bill would amend Section 7.052(b) of the Water Code to cap the penalty at \$10,000 for operating certain rock crushers or concrete plants without a permit, regardless of the number of days in violation. The current penalty is \$10,000 for each day that a continuing violation occurs.

Based on the analysis of the Texas Commission on Environmental Quality, it is assumed the provisions of the bill would not result in a significant reduction in revenue collected from penalties.

The bill would take effect September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 582 Commission on Environmental Quality, 601 Department of Transportation

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