

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 15, 2005

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

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

IN RE: HB2133 by Phillips (Relating to the use of an administrative penalty imposed by the Texas Commission on Environmental Quality against a municipally owned utility to ameliorate the violation for which the penalty was imposed.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would provide for the Texas Commission on Environmental Quality (TCEQ) to allow a municipally owned utility that is under enforcement for a deficiency in the utility's facilities to use any portion of an administrative penalty to correct the violation or to improve the facilities in lieu of ordering payment of the penalty. The TCEQ reports that this could result in a decrease in penalties deposited to the General Revenue Fund. However, the revenue loss is not expected to be significant.

Local Government Impact

The bill could result in a savings to municipalities, since it would allow them to use funds otherwise required for penalty payments to correct problems with their facilities, and since such municipalities already have to pay the costs to correct problems under current law.

Source Agencies: 582 Commission on Environmental Quality

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