

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

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

**April 11, 2005**

**TO:** Honorable Norma Chavez, Chair, House Committee on Border and International Affairs

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

**IN RE: HB2240** by Haggerty (Relating to the circumstances under which the Texas Commission on Environmental Quality may authorize certain emissions reductions to be substituted for other emissions reductions.), **As Introduced**

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

The bill would change the basis for which the commission may authorize or allow substitution of emissions reductions for determining compliance with the Federal Clean Air Act (CAA). Under current law, substitution of emissions deductions is allowed when it can be shown that the substituted pollutants are for the area considered non-attainment and that there would be a public health benefit. Upon passage of the bill, only one requirement would need to be fulfilled instead of both. No significant costs to the Texas Commission on Environmental Quality (TCEQ) are expected.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated. However, the TCEQ reports that this could affect the El Paso area's ability to maintain compliance with the CAA, since the area has been in noncompliance for two types of pollutants.

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

**LBB Staff:** JOB, CL, ZS, TL