

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

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

**May 6, 2005**

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

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

**IN RE: HB3141** by Hughes (Relating to outdoor burning in certain counties under the Texas Clean Air Act. ), **Committee Report 1st House, Substituted**

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

The bill would prohibit the Texas Commission on Environmental Quality (TCEQ) from controlling or prohibiting outdoor burning of certain waste in a county with a population of less than 50,000. The burning must occur at a site used for consolidated burning of waste that is located outside a municipality and is supervised by an employee of a fire department. The fire department employee supervising a burning would be required to notify the TCEQ of each burning supervised by the employee, and the commission would be required to provide the employee with information on practical alternatives to burning.

The bill would take effect September 1, 2005.

The requirements of the bill would result in TCEQ having to make rulemaking and guidance changes. The agency assumes these changes can be made within existing resources.

**Local Government Impact**

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

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

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