

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB343 by Brimer (Relating to the regulation of the placement of water wells and the installation and maintenance of well pumps and equipment; providing a penalty.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would authorize the county commissioners court in a county with a population of 1.4 million or more to regulate the placement of private water wells and drilling of a domestic well into a contaminated groundwater plume or aquifer in the unincorporated area of the county. The county would be authorized to establish rules related to placement, to have the county health officer or other official designated by the county to inspect the proposed private water well site, and to impose a placement review fee in the amount of not more than \$50 to enforce the ordinances. The bill would establish applicable procedures and certain exceptions.

The bill would establish as a Class C misdemeanor the act of drilling a private water well without possessing a written acknowledgment, or a copy of a written acknowledgment, approving the drilling. The official designated to inspect the proposed well site would be required to report citations issued under the statute to the Texas Department of Licensing and Regulation.

The bill would take effect September 1, 2005.

Local Government Impact

The applicability requirements apply to Tarrant, Dallas, and Harris counties. Both Dallas and Harris counties indicated there would be no significant fiscal impact. It is assumed that the fiscal impact for Tarrant County would be similar. Harris County estimates it would receive between 750 and 1,000 notices of intent to drill a well per year and the fees would offset the costs of conducting the review.

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

Source Agencies:

LBB Staff: JOB, WK, DLBa