

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 29, 2007

TO: Honorable Helen Giddings, Chair, House Committee on Business & Industry

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

IN RE: HB1871 by Giddings (Relating to information obtained regarding the sale of plastic bulk merchandise containers; providing civil penalties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code to establish that a person in the business of recycling, shredding, or destroying plastic bulk merchandise containers must obtain certain information from a person prior to purchasing five or more plastic bulk merchandise containers from the same person and must maintain a record of the purchase. If a person violates those requirements, they would be liable to the state for a civil penalty of \$10,000 for each violation. If a person tries to circumvent the requirements when purchasing more than five containers from the same person, the civil penalty would be \$30,000 for each violation.

The attorney general or appropriate prosecuting attorney would be authorized to sue to collect the civil penalty.

The bill would take effect September 1, 2007.

The Office of the Attorney General anticipates that any increase in workload could be absorbed using existing resources.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, JRO, DB