

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 28, 2007**

**TO:** Honorable Craig Estes, Chair, Senate Committee on S/C on Ag., Rural Affairs & Coastal Resources

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

**IN RE: SB1124** by Eltife (Relating to sanitary, chemical, or bacteriological surveys of bodies of public water conducted by the Department of State Health Services and related fish advisories.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1124, As Introduced: a negative impact of (\$4,251,710) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

| Fiscal Year | Probable Net Positive/(Negative)<br>Impact to General Revenue Related<br>Funds |
|-------------|--|
| 2008        | (\$2,075,696)  |
| 2009        | (\$2,176,014)  |
| 2010        | (\$2,176,626)  |
| 2011        | (\$2,177,643)  |
| 2012        | (\$2,178,687)  |

**All Funds, Five-Year Impact:**

| Fiscal Year | Probable Savings/(Cost) from<br><i>GENERAL REVENUE FUND</i><br>1 | Change in Number of State Employees<br>from FY 2007 |
|-------------|--|---|
| 2008        | (\$2,075,696)  | 9.0   |
| 2009        | (\$2,176,014)  | 9.0   |
| 2010        | (\$2,176,626)  | 9.0   |
| 2011        | (\$2,177,643)  | 9.0   |
| 2012        | (\$2,178,687)  | 9.0   |

**Fiscal Analysis**

The bill would amend the Health and Safety Code as it relates to sanitary, chemical, or bacteriological surveys of bodies of public water conducted by the Department of State Health Services (DSHS) and related fish advisories.

The bill would require the DSHS director to: 1) prepare a proposed quality assurance project plan, 2) publish notice of the proposed survey and provide individual notice to certain stakeholders, and 3) provide a public review and comment period before conducting a sanitary, chemical, or bacteriological survey of a body of public water.

The DSHS director would also be required to mail notice of the response to comments and final quality assurance project plan to interested parties. Upon completion of a bacteriological, chemical or sanitary survey, the DSHS director would also be required to: 1) notify the public and publish in a newspaper circulated in each county in which the water body is located and 2) mail notices to each person who submitted comments.

The bill would also require the executive commissioner of the Health and Human Services Commission to adopt rules for the form and content of health advisories concerning the consumption of fish not later than January 1, 2008.

The bill would apply to: 1) sanitary, chemical, or bacteriological surveys of bodies of public water and 2) fish advisory issued or in effect on or after January 1, 2008.

The bill would take effect September 1, 2007.

### **Methodology**

DSHS estimates that an additional 9 FTEs would be needed per fiscal year. The cost associated with these additional FTEs would be \$359,609 in FY08, \$476,786 in FY09, \$477,398 in FY10, \$478,415 in FY11, and \$479,459 in FY12. These costs include salaries, benefits, and travel.

It is also estimated that an additional \$1,716,088 in FY08 and \$1,699,228 for each subsequent fiscal year would be needed primarily for annual analytical costs, but also for postage, signs, and printing.

The total cost would be \$2,075,696 in FY08, \$2,176,014 in FY09, \$2,176,626 in FY10, \$2,177,643 in FY11, and \$2,178,687 in FY12.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 537 State Health Services, Department of, 580 Water Development Board, 582 Commission on Environmental Quality, 802 Parks and Wildlife Department

**LBB Staff:** JOB, WK, PP, KJG, SJ