

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB459 by Leibowitz (Relating to county abatement and regulation of nuisances.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to procedures for a county to abate and regulate nuisances. The bill would also amend the Local Government Code relating to the regulation of tire businesses and authorizing a fee for tire purchases for regulatory compliance in certain counties. The bill would also amend the Local Government Code relating to the adoption of noise regulations by certain counties.

The bill would also require that no land reclamation project using scrap tires could begin without a permit from the Texas Commission on Environmental Quality (TCEQ), and that the TCEQ approval of such permits would be contingent upon approval from specific local authorities. Although passage of the bill would result in a new permitting function for the TCEQ, because reclamation projects currently only require notice and authorization from the agency, any additional costs are expected to be absorbed using current agency resources.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, ESi, DB