

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 24, 2009**

**TO:** Honorable Byron Cook, Chair, House Committee on Environmental Regulation

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

**IN RE: HB857** by Laubenberg (Relating to the penalty for certain outdoor burning violations.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill proposes to reduce the current criminal penalties for violations of the outdoor burning rules to a Class C misdemeanor with a fine up to \$500 except where the violation is a repeat offense or involves the burning of a tire or insulation on copper wire. Repeat offenders would be charged with a Class B misdemeanor with a \$2,000 fine and/or 180 days confinement for repeat offenders, burning tires or insulation on copper wire would be a Class A misdemeanor with a \$4,000 fine and or one year confinement. Under current law, violators pay a \$1,000 to \$50,000 fine and or confinement not to exceed 180 days for an individual violating outdoor burning rules and a \$1,000 to \$100,000 fine for a person other than an individual violating the rules.

The bill's passage is not expected to have a significant fiscal impact to the state.

**Local Government Impact**

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

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

**LBB Staff:** JOB, WK, TL