

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 5, 2009

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

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

IN RE: HB1188 by Truitt (Relating to the regulation of metal recycling entities; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to expand the list of metals which are included in the list of regulated metals and require that metal recycling entities hold regulated materials over 35 pounds for 10 days to allow law enforcement personnel to recover possible stolen material before it is processed. The bill would also prohibit juveniles from selling regulated materials to a metal recycling entity without a written statement from the seller's parent or legal guardian consenting to the transaction. In addition, the bill would prohibit a metal recycling entity from purchasing or receiving wire that has been burned as a method of removing insulation. The bill provides the authority to the Department of Public Safety to deny an application for a certificate of registration, suspend or revoke a certificate of registration, or reprimand a registered person if the provisions of the chapter of the Occupations Code is violated. This analysis assumes that the costs of implementing the provisions of the bill could be reasonably absorbed within the current resources of the Department of Public Safety.

The Act would take effect September 1, 2009.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, GG, LG, SD, MWU, TP