

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 17, 2009

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

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

IN RE: HB1195 by Dukes (Relating to the issuance of a permit for a municipal solid waste landfill located near certain municipalities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would prohibit the Texas Commission on Environmental Quality (TCEQ) from issuing a permit for municipal solid waste landfills that meet criteria outlined in the bill unless the agency receives written consent to the permit from the governing body of each municipality, incorporated after 2000, that has any part of its boundary located five (5) miles or less from the proposed landfill. The consent requirement would only be required where a municipal solid waste landfill is owned or leased by a municipality that has a population greater than 600,000 but less than 700,000 and the location of the landfill is proposed to be 1,000 feet or less from a residence, 2,500 feet or less from the Colorado River, and in the 100-year floodplain.

Any costs to the TCEQ in implementing the bill's provisions is not expected to be significant.

Local Government Impact

Affected municipalities may require additional resources in evaluating and determining land use, and zoning compatibility with the provisions of the bill; however, the costs associated with implementing the provisions of the bill are not anticipated to be significant.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, WK, TL, TP