

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 21, 2009**

**TO:** Honorable Allan Ritter, Chair, House Committee on Natural Resources

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

**IN RE: HB2535** by Creighton (Relating to the regulation and enforcement of dam safety by the Texas Commission on Environmental Quality; providing civil and administrative penalties.),  
**Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would allow the Texas Commission on Environmental Quality (TCEQ) to assess Dam Safety administrative penalties up to \$10,000 per day. The bill also would specifically allow the TCEQ to regulate the operations of the dams in the state. The bill would allow the TCEQ to determine the frequency with which dams in the state are inspected, with high or significant hazard dams receiving priority preference.

The TCEQ reports that to exercise the administrative authority proposed in the bill, enhancements to its Consolidated Compliance and Enforcement Data System (CCEDS) database would be needed to allow for the storage of the dam safety reports, which the agency indicates often contain numerous pictures and large file sizes. The agency reports that the cost of these enhancements would be \$250,000. This estimate assumes the TCEQ could absorb the costs using existing resources.

This estimate does not assume that the penalty provisions in the bill would result in significant revenue to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 580 Water Development Board, 582 Commission on Environmental Quality

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