

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 31, 2009

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

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

IN RE: HB3422 by Burnam (Relating to the establishment of a program for the collection, transportation, recycling, and disposal of mercury-containing lights.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require manufacturers to establish mercury-containing light programs which entail collection and recycling, education and outreach, collection incentives and education, and progress reports. The bill would establish responsibilities for mercury-containing light retailers and or wholesalers, lighting contractors, and persons involved in building demolition. The bill would prohibit persons from selling or offering for sale lights manufactured by noncompliant manufacturers. The bill directs manufacturers to report certain information to the Texas Commission on Environmental Quality (TCEQ) and to submit a survey plan and methodology and survey results. The bill would also ban the disposal of mercury-containing lights at a municipal solid waste landfill or incinerator by a manufacturer, wholesaler, or retailer.

The bill would require the TCEQ to track and post noncompliant manufacturers and establishing a methodology for estimating the number of out of service lights that become waste annually. The bill also would require the agency to maintain a list of noncompliant manufacturers, authorizes the agency to order mercury-containing light program revisions, and creates performance standards that specify collection rates for mercury-containing lights and methodologies to estimate the number of mercury-containing lights becoming waste annually for these programs.

Assuming that investigations will be performed under the bill on a complaint basis only, the TCEQ does not expect that passage of the bill would require significant additional resources for the agency.

Local Government Impact

The bill could benefit local and other governmental entities by reducing wastes going to local landfills. Also, under the bill manufacturers of mercury-containing lights would be required to provide free collection and recycling or disposal of used mercury containing lights to local governments with household hazardous waste collection facilities or events. However, the bill is not expected to have a significant fiscal impact on local and other governmental entities.

Source Agencies: 582 Commission on Environmental Quality

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