

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB3827 by Hancock (Relating to the delivery of regulated substances into underground storage tanks; providing a penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would create a criminal penalty for any person who physically delivers regulated substance into an underground storage tank (UST) regulated under Texas Water Code, Chapter 26, which has not been issued a valid, current registration and certificate of compliance. Violation of this proposed criminal sanction would be punishable as a Class A misdemeanor. The bill would also provide a defense to prosecution in certain cases, including if the substance was manufactured in strict accordance with state or federal specifications.

The bill would require the Texas Commission on Environmental Quality (TCEQ) to adopt rules regulating the surface facilities associated with new commercial injection wells that propose to accept nonhazardous industrial waste for which a permit has not been issued on or before the effective date of the bill. The rules would apply to every application for a permit for a new well that is filed on or after the effective date.

No significant fiscal impact to the state is expected as a result of the bill's passage.

Local Government Impact

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

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, SD, SZ, TL