

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

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

**May 1, 2009**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: SB1466** by Davis, Wendy (Relating to the procurement of certain cement by the Texas Department of Transportation.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to require the Texas Department of Transportation (TxDOT) to procure cement produced from a portland cement kiln that uses a dry raw material feed precalciner pyroprocessing technology and is located in an area that, on January 1, 2009, was classified as a moderate nonattainment area for the eight-hour ozone standard by the United States Environmental Protection Agency (EPA). The requirement would only apply to a TxDOT contract that involves the use of cement that is produced in an area of the state that, on January 1, 2009, was classified as a moderate nonattainment area for the eight-hour ozone standard by the EPA.

TxDOT indicates that the provisions of the bill could result in increased costs for procuring cement. Based on the analysis of TxDOT, it is assumed any additional costs associated with implementing the provisions of the bill would be accommodated by reallocating funds within the agency's existing budget for transportation construction and maintenance.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

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