

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 15, 2009

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

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

IN RE: SB1846 by Hegar (Relating to the powers and duties of the Texas Commission on Environmental Quality and related entities.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require a person who owns or operates a water well and provides water to 3 to 14 residences for compensation shall ensure that the well water is treated with chlorine or a chlorine compound. The chlorination system for the well water would be required to be designed by a professional water engineer. The owner or operator of the well would be required to submit plans to the Texas Commission on Environmental Quality (TCEQ) for approval before use of the chlorination system. Results of testing would be required to be provided to TCEQ and the recipients of water from the well.

The bill would allow the TCEQ to delegate to its Executive Director (ED) the authority to issue an administrative order including the authority to assess penalties or order corrective measures to ensure compliance with laws within the Commission's jurisdiction.

The bill also makes changes to the regulation of utilities by the TCEQ and the Public Utility Commission concerning rates. The bill would also allow the TCEQ to allow a municipality or utility or water supply corporation to render sewer service without a certificate of public convenience and necessity provided the municipality provides specific notice of its intent to provide sewer service to an area or if the utility or water supply corporation has less than 15 potential connections and is not within the certified area of another retail utility. The bill also contains provisions relating to water districts and hearings.

No significant impact to state agencies 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

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