LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 2, 2011

TO: Honorable Wayne Smith, Chair, House Committee on Environmental Regulation

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

IN RE: **HB405** by Quintanilla (Relating to the storage, transportation, and disposal of tires; providing criminal penalties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would establish requirements for the storage, transportation, and disposal of scrap tires. The bill would require persons who store more than 500 scrap or used tires or who transport used or scrap tires to register with the TCEQ. The bill would require persons who transport used or scrap tires for disposal to maintain records and submit a manifest or other appropriate documentation to the TCEQ. The disposal of used or scrap tires at facilities that were not permitted by the commission would be prohibited.

The bill would require that political subdivisions notify the TCEQ when it is discovered that tires are being disposed in unauthorized locations. The bill would add criminal provisions for reckless violations of the statute or rules (Class A misdemeanor), and knowingly or intentionally violating the statute or rules would be a state jail felony.

Although passage of the bill would result in an increased administrative workload to the TCEQ because of the bill's registration requirements, and although the TCEQ would be required to handle additional criminal cases resulting from the criminal penalties created by the bill, this estimate assumes that such costs could be absorbed using existing agency resources. This estimate also assumes that any revenues resulting from the bill's penalty provisions would not be significant.

Local Government Impact

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

Source Agencies: 582 Commission on Environmental Quality, 304 Comptroller of Public Accounts
LBB Staff: JOB, SZ, ZS, TL