

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 19, 2011

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

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

IN RE: HB494 by Dutton (Relating to the recovery of certain rate case expenses by a water and sewer utility.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Water Code to prohibit a regulatory authority from including legal expenses, including court costs, attorney's consultants, expert witness fees incurred by a water and sewer utility in a contested proceeding under Section 13.187, or an appeal of that proceeding for ratemaking purposes.

The Texas Commission on Environmental Quality (TCEQ) reported implementing the provisions of the bill would require rulemaking for Chapter 291 of the Administrative Code, but would not require significant changes to agency operations, policies or procedures; therefore, no significant fiscal implication is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: JOB, SZ, TP