

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 21, 2011**

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

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

**IN RE: HB1665** by King, Susan (Relating to the notification requirements regarding certain land use regulations in an area near military facilities.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would require a defense community that proposes to adopt or amend an ordinance, rule or plan in an area located within eight miles of the boundary line of a defense base to notify the defense base authorities regarding the compatibility of the proposal with base operations. The bill would only apply to a defense community that includes a municipality with a population of more than 110,000 located in a county with a population of less than 135,000 and that has not adopted airport zoning regulations. Based on the applicability criteria, the provisions would apply only to Dyess Air Force Base.

The bill would add Chapter 44 to the Utilities Code related to the construction or expansion of a wind-powered electric generation facility as defined by the provisions of the bill. The bill would include requirements and procedures for notification requests, lists and construction or expansion of a wind-powered electric generation facility. The bill would include procedures and requirements for the Public Utility Commission. The commission would be authorized to implement penalties and other enforcement actions against a person that does not comply with this subchapter and to adopt rules and conduct proceedings necessary to administer and enforce this subchapter. The commission would be required to consult with the Office of the Governor, the Texas Military Preparedness Commission, the Office of the Comptroller of Public Accounts, the State Energy Conservation Office, and the General Land Office in developing and amending procedures.

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JOB, KM, SZ, TP