

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

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

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

IN RE: HB1811 by Burnam (Relating to the establishment of a program for the collection, transportation, recycling, and disposal of mercury-containing lights.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would establish new requirements for the management of out-of-service mercury-containing lights. The bill would require manufacturers to establish mercury-containing light programs which consist of collection and recycling, education and outreach, collection incentives, education, and progress reports. Manufacturers would be required to report certain information to the Texas Commission on Environmental Quality (TCEQ) and to submit a survey plan and methodology and survey results.

The bill would prohibit persons from selling or offering for sale lights manufactured by noncompliant manufacturers. Disposal of mercury-containing lights at a municipal solid waste landfill or incinerator by a manufacturer, wholesaler, or retailer would be banned. TCEQ responsibilities would include tracking and posting noncompliant manufacturers and, by rule, developing performance standards that specify collection rates for mercury-containing lights and establishing a methodology for estimating the number of out of service lights that become waste annually. The bill would also give the TCEQ the authority to require a manufacturer to revise its program and take other actions the TCEQ deemed necessary for the manufacturer to comply with the bill.

Although the bill would result in some additional responsibilities and require additional TCEQ staff time, this estimate assumes that the additional workload would not be significant and could be absorbed using existing agency resources.

Local Government Impact

The bill could benefit local and other governmental entities by reducing waste going to local landfills. Also, under the bill manufacturers of mercury-containing lights would be required to provide free collection and recycling or disposal of used mercury containing lights to local governments with household hazardous waste collection facilities or events. However, the bill is not expected to have a significant fiscal impact on local and governmental entities.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, SZ, TL, KKR