

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

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

**March 30, 2011**

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

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

**IN RE: HB3236** by Hernandez Luna (Relating to requirements for businesses that offer plastic checkout bags to customers; providing civil and administrative penalties.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require certain businesses that offer plastic checkout bags to establish a plastic bag recycling program and offer reusable bags for sale at a reasonable price. Affected businesses would be required to print or display on their plastic checkout bags the words, "Please Return to a Participating Business for Recycling" or other similar message. Affected businesses would also be required place a clearly marked plastic bag collection bin at an easily accessible location near each public entrance of an affected business; maintain records describing the collection, transport, and recycling of plastic checkout bags under the program; and make the records available to the commission upon request.

The bill would require the Texas Commission on Environmental Quality (TCEQ) to establish an online clearinghouse of information relating to the use and recycling of plastic checkout bags, and adopt rules to implement the proposed bill. The agency would also be required to conduct a study to determine the impact and effectiveness of the bill's provisions and provide a report to committees of the Senate and the House of Representatives. The bill would also provide for civil and administrative penalties for violations of the plastic bag recycling program.

Additional workload required of the TCEQ upon passage of the bill is not anticipated to be significant and is expected to be absorbed using existing agency resources. Additional penalty revenues are not expected to be significant.

**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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