

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 28, 2011

TO: Honorable Joseph Pickett, Chair, House Committee on Defense & Veterans' Affairs

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

IN RE: SB497 by Jackson (Relating to the construction or expansion of a wind-powered electric generation facility located near a federally owned or operated radar installation or military installation; providing an administrative penalty.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Utilities Code relating to the construction or expansion of a wind-powered electric generation facility located near a federally owned or operated radar installation or military installation.

The bill would allow federally owned or operated radar or military installations to request that the Public Utility Commission (PUC) notify the installation of a planned construction or expansion project if any part of the construction would occur within 25 miles of the boundaries of the installation. The bill would require that the PUC create, maintain and publish a list on the agency's website of federally owned or operated entities that request this notification. The bill would require certain wind-powered electric generating facilities to provide notice of construction or expansion projects to the PUC. The bill would also require the PUC to notify certain entities after the commission receives notice of a proposed construction or expansion project. The bill would allow the PUC to charge a fee to a person who provides a notice of construction or expansion under this chapter. The bill would require PUC to adopt rules to implement the provisions of the bill.

Based on the analysis of the Public Utility Commission, Trusteed Programs within the Office of the Governor, the Texas Commission on Environmental Quality, the Comptroller of Public Accounts, and the General Land Office and Veteran's Land Board it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. This analysis assumes fee revenue collected under this chapter would not be significant. However, for the PUC to use the fee receipts to cover the costs of the program, it would require an appropriation from the legislature.

Local Government Impact

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

Source Agencies: 300 Trusteed Programs Within the Office of the Governor, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board, 473 Public Utility Commission of Texas, 582 Commission on Environmental Quality

LBB Staff: JOB, KM, MW, RAN, SZ, TL