

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

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

**May 2, 2011**

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

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

**IN RE: SB1003** by Fraser (Relating to penalties for, and emergency orders suspending, the operation of a rock crusher or certain concrete plants without a current permit under the Texas Clean Air Act.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would allow a rock crusher or concrete plant to notify the Texas Commission on Environmental Quality (TCEQ) that it intends to operate past the date their permit expires. If a facility would do so, the agency would have the discretion to impose a penalty no greater than \$10,000 for each violation. If a rock crusher or cement plant would fail to notify the agency of its intent to operate without the required permit before the expiration date, then the penalty imposed would be \$10,000 per day that the violation occurs. In addition, the bill would grant the TCEQ the option to issue an emergency order to suspend the operation of a rock crusher or cement plant instead of mandating a shutdown.

The TCEQ reports that the bill's passage could result in a minimal decrease in the amount of penalties deposited to the General Revenue Fund.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 582 Commission on Environmental Quality

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