

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 22, 2011

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

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 Introduced**

No significant fiscal implication to the State is anticipated.

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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