

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

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

**April 15, 2011**

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

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

**IN RE: SB1478** by Hegar (Relating to deadlines for the Railroad Commission of Texas to review certain applications for surface coal mining operation permits.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would establish deadlines and procedures for Railroad Commission staff in reviewing surface mining permit, revision, and renewal applications. Under the proposed timeframes, within one week of the receipt of an application for a new surface coal mine permit or the renewal of such a permit, Railroad Commission staff would have to determine the application's administrative completeness. Within 120 days of receipt of an administratively complete application for a new permit or significant permit revision the agency would be required to file documentation of its technical analysis with the Railroad Commission's office of general counsel. An additional 60 days could be used if an applicant would submit a supplement to an application on their own motion and not due to deficiencies identified by the agency's review. The agency would either approve or deny a non-significant application within 90 days.

To implement the provisions of the bill, the Railroad Commission expects that its current surface mining permitting system would need to be re-written in a supported technology platform to archive the deadlines mandated by the bill, which would require the use of contract programming services. This estimate assumes that these costs could be absorbed using existing agency resources.

**Local Government Impact**

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

**Source Agencies:** 455 Railroad Commission

**LBB Staff:** JOB, SZ, ZS, TL