

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 18, 2011

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

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

IN RE: SB1605 by Seliger (Relating to the Texas Low-Level Radioactive Waste Disposal Compact Commission.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would create the Texas Low-Level Radioactive Waste Disposal Compact Commission (LLRWDC) as an independent entity subject to review by the Sunset Advisory Commission, but not abolishment, under the Texas Sunset Act. The Sunset review would be conducted during each period in which the Texas Commission on Environmental Quality (TCEQ) is reviewed. The cost of the review would be paid by the LLRWDC.

The bill would clarify that the LLRWDC is an independent entity and not a part of the Texas Commission on Environmental Quality (TCEQ). The bill would prohibit funding for LLRWDC activities from being made as part of an appropriation to the TCEQ.

The bill would require that the LLRWDC file written reports with the Governor and the appropriate legislative committees on or before December 1 of each even numbered year. The bill would also require that the Attorney General represent the LLRWDC in all matters before the state courts and any court of the United States.

The requirement for the Sunset Commission to review the LLRWDC is expected to result in costs in fiscal years 2022 and 2023, the next time the TCEQ would be reviewed. Because this time period is outside the scope of this fiscal note, no significant fiscal impact is expected as a result of the bill's passage.

Passage of the bill would result in an increased workload at the Office of the Attorney General, including increased litigation costs and staffing needs. However, this estimate assumes that these costs could be absorbed using existing agency resources.

No significant fiscal impact to the TCEQ is expected as a result of the bill's passage. Upon passage of the bill, this estimate assumes that the portion funding provided by the TCEQ to the LLRWDC would transfer to a direct appropriation by the Legislature to the LLRWDC.

Local Government Impact

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

Source Agencies: 116 Sunset Advisory Commission

LBB Staff: JOB, KJG, TL