

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 17, 2013

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1932 by Stickland (Relating to regulating faulty on-site sewage disposal systems in the unincorporated areas of a county as a public nuisance; providing a criminal penalty.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 343 of the Health and Safety Code to include surface discharge from an on-site sewage disposal system as a public nuisance. A county that has adopted procedures that are consistent with this chapter would be authorized to abate the nuisance by any means reasonably necessary to bring the on-site sewage disposal system into compliance only after a defendant fails to abate as ordered by the court.

An offense under this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200. If it is shown on the trial of the defendant that the defendant has been previously convicted of an offense under this section, the defendant is punishable by a fine of not less than \$200 or more than \$1,000, confinement in jail for not more than six months, or both.

Local Government Impact

There could be costs to a county that abates an on-site sewage disposal system and to bring the system into compliance; however, the amounts would vary depending on the number of abatements performed and the cost to bring a system into compliance.

Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, KKR, TP