

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 24, 2013

TO: Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2157 by Gutierrez (Relating to certain offenses for providing services involving an irrigation system without a license.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would add "sell," "designs," "maintains," "alters," "repairs," "services," "or provides consultation services for" to the list of things a person may not do to an irrigation system unless that person holds a license issued by the Texas Commission on Environmental Quality (TCEQ) under Water Code, Chapter 37. A person who maintains or repairs an irrigation system without being properly licensed (or meeting TCEQ exemptions) could be charged with a Class C misdemeanor. A person could also be charged with a Class C misdemeanor if the person would advertise irrigation services or represent to another person that the person is an irrigator.

The act would take effect on September 1, 2013.

No significant fiscal implications to TCEQ are expected as a result of the bill's passage.

Local Government Impact

TCEQ reports that municipalities with a population of 20,000 or more that have adopted landscape irrigation program ordinances already have authority for penalties that would exceed fines associated with a Class C misdemeanor, so there would not be an impact on these entities as a result of the bill's passage. TCEQ reports that there could be an increase in the number of suits filed in county court jurisdictions. However, because TCEQ reports that the agency has historically experienced only a small number of landscape irrigation complaints outside of metropolitan areas, the number of cases is not anticipated to be significant.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, RB, TL