

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 12, 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 the offense of maintaining and repairing an irrigation system without a license.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would add "maintains or repairs" 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.

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