

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB875 by Eltife (Relating to the purchase of plastic bulk merchandise containers by certain businesses; providing a civil penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code to prohibit payment for the purchase of bulk plastic containers with cash and adds new record keeping requirements on purchase transactions. The Office of the Attorney General indicates that any additional costs associated with the bill could be absorbed within existing resources.

The bill would also authorize a civil penalty not to exceed \$5,000 for each violation and clarifies that each cash transaction in violation of the provisions of the bill is a separate violation. The Comptroller of Public Accounts has indicated that the number of potential violations and the amount of penalties levied are unknown. Therefore, there could be an indeterminate revenue increase to the state.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: UP, SZ, RB, EP, JM