

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 18, 2013**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB957 by Fraser (Relating to the procedure for action by the Texas Commission on Environmental Quality on applications for certain environmental permits.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would make changes to the conditions under which persons seeking contested case hearings from the Texas Commission on Environmental Quality (TCEQ) relating to various permits issued by the agency are eligible for such hearings. It would also make changes to the procedures relating to such hearings, which would be conducted by the State Office of Administrative Hearings (SOAH). The bill would provide that the person requesting such a hearing would have the burden of proof to demonstrate that the TCEQ erred in its decision on a permit application based on the issues and arguments raised by the person during the public comment period.

The bill provides that SOAH will establish an environmental quality division to perform contested case hearings of certain permit decisions for the TCEQ. In addition to contested cases involving permit applications, SOAH currently conducts contested case hearings for TCEQ in cases involving enforcement actions, licensing, water rights, water and sewer utilities, and other matters.

Passage of the bill is not expected to have a significant fiscal impact on SOAH or the TCEQ.

**Local Government Impact**

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

**Source Agencies:** 360 State Office of Administrative Hearings, 582 Commission on Environmental Quality, 304 Comptroller of Public Accounts

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