

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 18, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee On Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1209 by Fraser (Relating to reporting and information availability requirements for persons impounding, diverting, or otherwise using state water; providing a penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would increase the amount of penalty for persons failing to file annual water rights use reports or failing to comply with a Texas Commission on Environmental Quality (TCEQ) request for records to \$5,000 per day, which is an increase from the existing \$25 penalty with a \$1 per day penalty charge. The bill would require the TCEQ to establish a reasonable deadline for the water rights holder to respond with requested information.

Penalties associated with failure to comply with TCEQ water rights reporting requirements would be deposited to the General Revenue Fund. Although passage of the bill could result in increased penalty revenues, this estimate assumes that the per-day penalty rate would serve as an incentive for compliance. Thus, no significant revenue increase to the state is expected. Passage of the bill is not expected to result in significant costs to the TCEQ.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, TL