

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 1, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1387 by Carona (Relating to water well drillers and pump installers; authorizing fees.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to water well drillers and pump installers creating a new General Revenue account from the deposits of administrative penalties from enforcement violations. The bill would create new GR Account-Driller and Pump Installer Training and Enforcement to deposit the administrative penalties collected from violations of Chapters 1901 and 1902 that are currently deposited to the credit of the General Revenue Fund. The bill would require the Texas Department of Licensing and Regulation (TDLR) to establish by rule a regional well inspection program using third-party inspectors, and provide for training, registration, license fees, and policies for third party inspectors. The bill would also allow TDLR to contract with third-party inspectors to assist in with enforcement duties. The bill would also establish specialty endorsement licenses for well drillers and pump installers.

Based on information provided by TDLR, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. Based on information provided by the Comptroller of Public Accounts, amounts that would be deposited to the new GR-Account created under the bill cannot be determined; however, this analysis assumes that these revenues would not be significant.

This legislation would create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. Legislative policy, implemented as Government Code 403.094, consolidated special funds (except those affected by constitutional, federal, or other restrictions) into the General Revenue Fund as of August 31, 1993 and eliminated all applicable statutory revenue dedications as of August 31, 1995. Each subsequent Legislature has reviewed bills that affect funds consolidation. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation

LBB Staff: UP, SZ, MW, CWS