

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 27, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB281** by Simmons (Relating to a limitation on the expansion of certain landfills.), As  
**Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Chapter 361 of the Health and Safety Code to provide that the Texas Commission on Environmental Quality (TCEQ) may not approve an application for the issuance, amendment, or renewal of a permit that seeks to expand the area or capacity of a landfill unless approved by resolution or order by the governing body of the municipality in which the landfill is located. TCEQ would be required to provide members of the legislature who represent the district containing the landfill with an opportunity to comment; and must consider those comments. The bill would apply to a municipally owned Type I municipal solid waste landfill permitted by the state before 1980 that is located inside the boundaries of a municipality and is owned by a municipality other than the municipality in which it is located.

TCEQ indicated changes to rules, policies, and procedures regarding the submittal, evaluation, and approval of applications for new permits and permit amendments for Type I municipal solid waste landfills located in affected areas would be necessary. TCEQ anticipates any additional work could be reasonably absorbed within current resources.

**Local Government Impact**

According to the analysis by TCEQ, there could be costs to the affected local governments that chose to conduct administrative and technical reviews of the applications; however, the amounts would vary depending on how a resolution or order is developed, current processes, the number of reviews conducted, and the costs incurred for the reviews.

**Source Agencies:** 582 Commission on Environmental Quality

**LBB Staff:** UP, EK, SZ, SD, TL