

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

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

**May 7, 2015**

**TO:** Honorable Geanie Morrison, Chair, House Committee on Environmental Regulation

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

**IN RE:** **HB1642** by Pickett (relating to the rights, remedies, and liability of certain owners and operators of environmentally contaminated property in certain counties.), **Committee Report 1st House, Substituted**

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

The bill would allow innocent owners/operators of environmentally contaminated property to request a court to determine the amount of reasonable compensation for responsible parties to access their property for purposes of assessment and remediation if they are unable to agree upon the compensation. The bill would change the liability protections afforded by the Innocent Owner/Operator Program operated by the Texas Commission on Environmental Quality (TCEQ) by allowing owners/operators of property with a pipeline across it to be considered innocent owners/operators regarding contamination originating from the pipeline as long as the owners/operators of the property do not own or operate the pipeline.

The bill would apply only to property in a county on the international border with a population of 800,000 or more. Based on the 2010 U.S. Census, this would only apply to El Paso County.

The TCEQ does not expect the bill to result in significant fiscal implications to the agency.

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

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

**LBB Staff:** UP, SZ, MW, TL