

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

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

**April 8, 2015**

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

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

**IN RE:** **HB1865** by Morrison (relating to procedures for certain environmental permit applications.), **Committee Report 1st House, Substituted**

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

The bill would shift the burden of producing evidence from the applicant to protesting parties in contested case hearings (CCH) on applications submitted to the Texas Commission on Environmental Quality (TCEQ) for air quality; water quality; municipal, industrial and hazardous waste; and underground injection control permits. The bill would limit the issues that could be referred to the State Office of Administrative Hearings (SOAH) to the factual disputes actually raised by the "affected person." In addition, it would limit the time for a CCH to no longer than 180 days from the date of the preliminary hearing.

The bill would take effect September 1, 2015, and the TCEQ would have until January 1, 2016 to adopt rules to implement the changes proposed by the bill.

No significant costs to TCEQ or SOAH are anticipated.

**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

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