

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 19, 2015

TO: Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB109 by Taylor, Van (Relating to the procedure for action by the Texas Commission on Environmental Quality on an application for a water right.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would to create new timelines for processing water use permits and amendments submitted to the Texas Commission on Environmental Quality (TCEQ). In addition, the bill would establish new criteria for contested case hearings and specify the maximum duration of a hearing. The bill would only allow TCEQ to refer an issue to the State Office of Administrative Hearings (SOAH) if it involves a disputed question of fact and is relevant and material to the decision on an application.

The TCEQ reports that the bill would require the agency to process new applications for water use permits on an expedited basis, resulting in potential processing delays for applications not affected by the bill. The TCEQ expects that the new processing times and procedures established in the bill would result in the need for additional administrative and technical resources to process applications within the new time frames, while continuing to process existing applications received before the effective date of the bill. This estimate assumes that these additional costs could be absorbed within the agency's existing budget for water planning and permitting.

SOAH report that passage of the bill would result in no significant impact to the agency.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts, 360 State Office of Administrative Hearings, 582 Commission on Environmental Quality

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