

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 27, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB709 by Fraser (Relating to procedures for certain environmental permit applications.),
As Engrossed

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 with 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." Finally, it would limit the time for a CCH to no longer than 180 days from the date of the preliminary hearing.

Costs to the TCEQ and SOAH associated with implementing the bill are not expected to be significant.

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, TL, SZ, ER