

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 4, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB709 by Fraser (Relating to procedures for certain environmental permit applications.),
As Passed 2nd House

<p>No significant fiscal implication to the State is anticipated.</p>
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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.

The bill would require that TCEQ provide notice of its rules related to administrative hearings to be posted on the internet. The bill also would require the TCEQ to provide notice to the state senator and state representative of the area when a facility within that member's jurisdiction is issued a draft permit.

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: 582 Commission on Environmental Quality, 360 State Office of Administrative Hearings

LBB Staff: UP, TL, SZ, ER