

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

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

**March 30, 2015**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Natural Resources & Economic Development

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

**IN RE: SB709** by Fraser (Relating to environmental permitting procedures for applications filed with the Texas Commission on Environmental Quality.), **As Introduced**

**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.

Because the bill would streamline prima facie demonstration requirements, SOAH expects that the bill could reduce the time needed for evidentiary hearings and for the preparation of PFDs. This could result in a savings to the TCEQ, which contracts with SOAH for contested case hearings. Any savings resulting from the bill's passage is 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