

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 10, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB572 by Stephenson (Relating to the disposal of pesticides.), As Engrossed

Estimated Two-year Net Impact to General Revenue Related Funds for HB572, As Engrossed: an impact of \$0 through the biennium ending August 31, 2019.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|---|
| 2018 | \$0 |
| 2019 | \$0 |
| 2020 | \$0 |
| 2021 | \$0 |
| 2022 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Revenue Gain from <i>General Revenue Fund</i> 1 | Probable (Cost) from <i>General Revenue Fund</i> 1 | Probable Revenue Gain from <i>New Other - Pesticide Disposal Fund</i> | Probable (Cost) from <i>New Other - Pesticide Disposal Fund</i> |
|-------------|---|--|---|--|
| 2018 | \$400,000 | (\$400,000) | \$400,000 | (\$400,000) |
| 2019 | \$400,000 | (\$400,000) | \$400,000 | (\$400,000) |
| 2020 | \$400,000 | (\$400,000) | \$400,000 | (\$400,000) |
| 2021 | \$400,000 | (\$400,000) | \$400,000 | (\$400,000) |
| 2022 | \$400,000 | (\$400,000) | \$400,000 | (\$400,000) |

Fiscal Analysis

The bill would create the Pesticide Disposal Fund in the state treasury outside of the General Revenue Fund. The fund would consist of revenue from annual transfers of pesticide registration fees collected under Agriculture Code, Section 76.044 in amounts, not to exceed \$400,000, as determined by the Texas Department of Agriculture (TDA) to be necessary to administer pesticide waste and container collection activities. Interest earnings from money in the fund would be deposited to the credit of the fund. The fund would be administered by TDA and could be appropriated only for pesticide waste and container collection activities. TDA would coordinate pesticide disposal efforts with the Texas A&M AgriLife Extension Service and the Texas Commission on Environmental Quality (TCEQ), including contracting for disposal services.

This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

The bill would take effect September 1, 2017.

Methodology

Currently, fees collected pursuant to Agriculture Code, Section 76.044 are required to be set by TDA to recover costs of the Agricultural Pesticide Regulation program, and are deposited to General Revenue. This analysis assumes that the revenue transferred to the new Pesticide Disposal Fund as directed by the bill will result in TDA raising pesticide product registration fees to offset this reduction.

This analysis assumes that costs for the pesticide disposal program are assumed to be equal to the amount transferred each fiscal year. Amounts in this analysis assume the statutory maximum would be transferred. Out of this amount, TDA, TCEQ, and Texas A&M AgriLife Extension Service are expected to have minimal administrative costs to implement bill provisions.

Local Government Impact

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

Source Agencies: 304 Comptroller of Public Accounts, 555 Texas A&M AgriLife Extension Service, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, MW, MSO