

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 27, 2017

TO: Honorable Joseph Pickett, Chair, House Committee on Environmental Regulation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1927 by Rodriguez, Eddie (Relating to an alert system for notification of the release of toxic chemicals by a manufacturing facility.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1927, As Introduced: 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 (Cost) from Clean Air Account 151	Change in Number of State Employees from FY 2017
2018	(\$673,883)	2.0
2019	(\$265,483)	2.0
2020	(\$265,483)	2.0
2021	(\$265,483)	2.0
2022	(\$265,483)	2.0

Fiscal Analysis

The bill would instruct the State Emergency Response Commission (SERC) to develop and maintain a toxic chemical emergency alert system to notify affected persons in the event of a release by a facility that, according to the responsible state agency, will substantially endanger human health or the environment. The responsible state agency would be required to issue a notification within 30 minutes after making such a determination. The responsible state agency would also be required to determine when the release is no longer a threat, and notify affected persons using the alert system. The alert system would be required to provide notification through reverse 9-1-1 calls, text messages, e-mails, social media, and other instant messaging systems, and would be required to include: the area(s) affected by the release; a geographic display of the severity of the threat posed by the release; the chemicals involved in the release; the toxicity of the chemicals; the projected movement of the release; instructions for protection from exposure to the release or for reducing exposure to the release; a link to an internet website or message system that maintains current information on the area(s) affected by the release; and, a link to an Internet website or other message system that describes a symptom of any illness caused by the release that may require emergency medical treatment.

Under the provisions of the bill, SERC may partner with other state agencies in implementing this system and would be required to allow persons to register for their preferred method of receiving the notice, as well as allowing a person the option of not receiving the alerts. The alert system would be required to allow the responsible state agency to modify the notification based on the distance of the release to the person receiving the notification and the projected movement of the release. The bill would instruct SERC to review and modify the alert system as appropriate every four years. The alert system would be required to be established no later than January 1, 2019.

The bill would take effect September 1, 2017.

Methodology

According to the Texas Commission on Environmental Quality (TCEQ), if TCEQ were the agency tasked with implementing the alert system, 2.0 FTEs would be required to implement the provisions of the bill. One program specialist would be required to establish and maintain the alert system and the webpage, to provide ongoing outreach to the public, and to train the emergency response coordinators and toxicologist on how to implement the alert system. One toxicologist would be required to assist with developing the criteria to determine releases that will substantially endanger human health or the environment, and identifying the level of chemicals that would be protective of public exposure during a chemical release. The costs associated with these FTEs would total \$173,883 in fiscal year 2018, and \$165,483 in the following years.

TCEQ predicts that funding would be required to purchase a system that can provide forecasts using real-time meteorological data in order to implement a modeling system capable of projecting the movement of a chemical release plume. TCEQ estimates that this system would cost approximately \$500,000 to purchase, install and provide staff training, while ongoing costs would total approximately \$100,000 per year for maintenance.

It is anticipated that if the Department of Public Safety were to implement the alert system, the agency would have significant, if undetermined, costs associated with implementing the provisions of the bill.

Technology

TCEQ predicts that funding would be required to purchase a system that can provide forecasts using real-time meteorological data in order to implement a modeling system capable of projecting the movement of a chemical release plume. TCEQ estimates that this system would cost approximately \$500,000 to purchase, install and provide staff training, while ongoing costs would total approximately \$100,000 per year for maintenance.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 477 Commission on State Emergency Communications, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, MW, MSO, RC, JAW, JSm