

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 24, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2125 by Thompson, Ed (Relating to the establishment of a program for the collection, transportation, and recycling of architectural paint.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to require manufacturers of architectural paint to establish and finance a program for the collection, transportation, recycling, and processing of architectural paint either individually or collectively with other manufacturers. Manufacturers would be required to submit a plan to the Texas Commission on Environmental Quality (TCEQ) for approval, to implement policies that provide for recordkeeping that tracks and documents the use, reuse, or disposal of post-consumer architectural paint, to acquire and maintain adequate environmental liability coverage, and to submit annual reports to TCEQ. The bill would require TCEQ to maintain a list of noncompliant manufacturers on the agency's website and update the list monthly. The bill would prohibit noncompliant manufacturers from selling architectural paint in Texas, as well as prohibit retailers from selling architectural paint produced by noncompliant manufactures.

The bill would require TCEQ to adopt rules or forms necessary to implement provisions of the bill by February 1, 2018, and would require TCEQ to begin accepting program plans by March 1, 2018. The bill would not require manufacturers to implement programs until September 1, 2018, and would not require annual reporting before September 1, 2019.

TCEQ estimates there would be a minimal cost associated with implementing the provisions of the bill for one position to establish the program; draft rules; review plans and programs; establish list of noncompliant manufacturers and update the list on a monthly basis. TCEQ also indicates necessary information technology programing costs could be absorbed within existing resources.

Local Government Impact

According to TCEQ, local governments that voluntarily collect used paint through Household Hazardous Waste programs could realize savings under provisions of the bill.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, SZ, MW, MSO