

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 15, 2019**

**TO:** Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources & Economic Development

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB907** by Huberty (Relating to the penalty for failure to register certain aggregate production operations with the Texas Commission on Environmental Quality.), **As Engrossed**

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| <p><b>No significant fiscal implication to the State is anticipated.</b></p> |
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The bill would amend the Water Code to increase the penalty amounts for aggregate production operations that operate without registration by increasing the minimum penalty from \$5,000 to \$10,000 and the maximum penalty from \$10,000 to \$20,000 each year in which operations are performed without registration. In addition, the maximum limit of the total penalty assessed would increase from \$25,000 to \$50,000 for an operator that has operated in three or more years without registration.

Based on an analysis of the historical administrative penalties assessed by the Texas Commission on Environmental Quality (TCEQ) as provided by TCEQ, the increase in revenues from assessed penalties is not anticipated to be significant.

**Local Government Impact**

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

**Source Agencies:** 582 Commission on Environmental Quality

**LBB Staff:** WP, SZ, MW, GDz, PM