

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 29, 2019

TO: Honorable J. M. Lozano, Chair, House Committee on Environmental Regulation

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

IN RE: HB1764 by Allen (Relating to the location of hearings relating to contested cases before the Texas Commission on Environmental Quality.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to require that contested case hearings for permit applications, enforcement actions, and occupational licensing for the Texas Commission on Environmental Quality (TCEQ) be conducted in the house district in which the facility or proposed facility at issue is located.

Under current law, these contested case hearings are presided over by administrative law judges of the State Office of Administrative Hearings (SOAH) with TCEQ either directly paying or reimbursing SOAH for these costs through interagency contract. According to TCEQ and SOAH, the bill's provisions would require increased costs to SOAH for travel and obtaining suitable hearing locations and accommodations for an estimated 36 hearings. This estimate assumes these costs could be absorbed within available resources.

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: WP, SZ, MW, GDz