

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

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 16, 2023**

**TO:** Honorable Oscar Longoria, Chair, House Committee on Business & Industry

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2128** by Bailes (Relating to the charging of exorbitant or excessive prices for natural gas during a declared disaster.), **As Introduced**

The fiscal implications of the bill cannot be determined because the timing of declared disasters, number of complaints, and amount of civil penalties that would be assessed in relation to provisions of the bill are unknown.

The bill would amend the Business and Commerce Code as it relates to false, misleading, or deceptive acts or practices during a disaster declared by the governor under Section 418 of the Government Code or by the President of the United States. The bill would add "demanding exorbitant or excessive prices" in connection with certain sales of natural gas as an action that constitutes taking advantage of a declared natural disaster which would be subject to civil suit and civil penalty.

Based on information provided by the Railroad Commission, it is assumed that costs associated with implementing the provisions of the bill could be absorbed using existing resources.

Based on information provided by the Comptroller of Public Accounts, civil penalties could be increased by the inclusion of a new offense; however, the amount of the increase cannot be determined.

The overall fiscal implications of the bill cannot be determined because the timing of declared disasters, number of complaints, and amount of civil penalties that would be assessed under the provisions of the bill are unknown.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 455 Railroad Commission

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