

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 27, 2023

TO: Honorable Tracy O. King, Chair, House Committee on Natural Resources

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2369 by Kitzman (Relating to publishing on an Internet website notices concerning certain National Pollutant Discharge Elimination System permits.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2369, As Introduced : an impact of \$0 through the biennium ending August 31, 2025.

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:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2024	\$0
2025	\$0
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from Water Resource Management</i>
	153
2024	(\$300,000)
2025	(\$200,000)
2026	(\$25,000)
2027	(\$50,000)
2028	(\$50,000)

Fiscal Analysis

The bill would amend the Water Code to require the Texas Commission on Environmental Quality (TCEQ) to develop a publicly accessible portal on the agency's website that would allow a person to publish a notice concerning a National Pollutant Discharge Elimination System (NPDES) permit. The bill authorizes TCEQ to utilize the portal instead of publishing a notice in a newspaper notwithstanding any other law that maintains the requirement.

Methodology

Based on information provided by TCEQ, this analysis assumes the agency would have to add a new module to TCEQ's current State of Texas Environmental Electronic Reporting System (STEERS) and further develop and update its electronic notification system (eNotice) to implement the provisions of the bill.

This analysis assumes information technology costs to implement the provisions of the bill would be provided from General Revenue-Dedicated Water Resource Management Account No. 153. It is assumed that costs totaling \$200,000 in fiscal year 2024 and \$100,000 in fiscal year 2025 would be necessary to develop a STEERS module to collect notice and related information from permittees. It is also assumed that \$100,000 in fiscal year 2024 and \$100,000 in fiscal year 2025 would be required to provide additional developments and updates to the eNotice system. Maintenance costs for the system upgrades would total \$25,000 in fiscal year 2026 and \$50,000 in each subsequent fiscal year.

Technology

Technology costs reflected in the table above include \$200,000 in fiscal year 2024 and \$100,000 in fiscal year 2025 for the STEERS module and \$100,000 in fiscal years 2024 and 2025 for the eNotice system with ongoing maintenance costs of \$25,000 in fiscal year 2026 and \$50,000 in each subsequent fiscal year.

Local Government Impact

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

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JMc, KDw, MW, DKN