

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 210** HLS 19RS 336

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.: **w/ PROP HSE COMM AMD**

Sub. Bill For.:

| | |
|--|----------------------------|
| Date: April 23, 2019 2:14 PM | Author: HARRIS, J. |
| Dept./Agy.: Environmental Quality | Analyst: David Neef |
| Subject: Provides for the filing of records | |

ENVIRONMENT/QUALITY DEPT OR DECREASE SD EX See Note Page 1 of 1
Provides for filing records of decisions of the Department of Environmental Quality

Present law affords an aggrieved person the opportunity to appeal a final permit action, a final enforcement action, or a declaratory ruling by DEQ only to the 19th Judicial District Court.

Present law requires the department to transmit to the reviewing court the original or a certified copy of the entire record of the decision or action under review within 60 days after service of the petition on the department, or within time allowed by the court.

Proposed law requires any costs assigned by the clerk of court for the filing of the record of decision to be paid by the person filing the petition for review.

| EXPENDITURES | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | DECREASE | DECREASE | DECREASE | DECREASE | DECREASE | |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| Annual Total | | | | | | |
| REVENUES | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 5 -YEAR TOTAL |
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

There will be a decrease in the expenditures of the Department of Environmental Quality associated with fees assessed for court filings.

All third-party lawsuits challenging the Department of Environmental Quality permit issuance must be filed in the 19th Judicial District Court. DEQ stated that while filing fees have been assessed, actual payments have not been made and has identified a partial balance of \$57,198. Due to the manner in which fees are assessed and tracked, neither DEQ nor the Clerk of Court has been able to provide the total outstanding payment balance.

REVENUE EXPLANATION

There will be no impact to the 19th JDC Clerk of Court as the proposed legislation transfers the payment responsibilities to the individual filing the petition for review.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director