

FISCAL NOTE

Bill #: SB0084

Title: Increase administrative penalties for environmental law violations

Primary Sponsor: Bea McCarthy

Status: As Introduced

Sponsor signature Date

Chuck Swysgood, Budget Director Date

Fiscal Summary

	<u>FY2002</u> <u>Difference</u>	<u>FY2003</u> <u>Difference</u>
Expenditures:	0	0
Revenue:		
General Fund	1,780	1,780
State Special Revenue	(6,295)	(6,295)
Net Impact on General Fund Balance:	\$1,780	\$1,780

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts
	X	Dedicated Revenue Form Attached		X	Family Impact Form Attached

Fiscal Analysis

ASSUMPTIONS:

1. Projected revenue increase/decrease is based upon 4.5 years (FY 1997 – FY 2001) of historical enforcement activity. The number of violations and corresponding enforcement actions in the next biennium (FY 2002 – FY 2003) will remain constant.

2. For sections of law where new administrative penalties would be authorized by this bill, the Department of Environmental Quality (DEQ) is more likely to assess penalties through the administrative process instead of through court. For statutes where the administrative penalty authority would be increased, the average administrative penalty will increase. Administrative penalties are lower than judicial penalties.
3. Maximum penalty amounts are almost never assessed. Penalties commensurate with the severity of the violation are calculated using factors specified in law.
4. There will be no increase or decrease in DEQ costs.

FISCAL IMPACT:

	<u>FY2002</u> <u>Difference</u>	<u>FY2003</u> <u>Difference</u>
<u>Revenues:</u>		
General Fund (01)	1,780	1,780
State Special Revenue (02)	<u>(6,295)</u>	<u>(6,295)</u>
TOTAL	(\$4,515)	(\$4,515)
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	\$1,780	\$1,780
State Special Revenue (02)	(\$6,295)	(\$6,295)

TECHNICAL NOTES:

1. If LC0287 passes, administrative and judicial penalties will be deposited into a new state special revenue account (the new environmental rehabilitation and response account) instead of the general fund and several other program-specific state special revenue accounts.