

## **BILL ANALYSIS**

Senate Research Center

S.B. 739  
By: Lucio  
Natural Resources  
3/30/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, the Texas Commission on Environmental Quality (TCEQ) does not have the authority to provide for payment plans in an enforcement order after a contested case hearing has been held. The fined entity has to pay the amount in full.

As proposed, S.B. 739 allows TCEQ the discretion to establish an installment payment plan for administrative penalties assessed against a regulated entity after a contested case hearing. This may result in an increase in fine revenue from entities that may have initially declared a financial inability to pay.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 7.052(d), Water Code, to delete existing text relating to the assessment of certain penalties under Section 7.058.

SECTION 2. Effective date: September 1, 2005.