

SUBJECT: Electronic delivery of notices from TCEQ to state legislators

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 9 ayes — Ritter, T. King, Beck, Creighton, Hopson, Keffer, Larson, Lucio, Price

0 nays

2 absent — Martinez Fischer, D. Miller

WITNESSES: For — (*Registered, but did not testify*: Robin Schneider, Texas Campaign for the Environment)

Against — None

On — (*Registered, but did not testify*: Margaret Ligarde, Texas Commission on Environmental Quality)

BACKGROUND: Water Code, sec. 5.128 requires the Texas Commission on Environmental Quality (TCEQ) to encourage the electronic submission of reports and allows TCEQ to adjust fees to do so. TCEQ also has the authority to specify the format for reports submitted through its electronic system. TCEQ can consult with the Department of Information Resources to develop its electronic reporting system and can electronically transmit other types of information, such as notices, orders, and decisions.

DIGEST: CSHB 610 would require TCEQ to electronically submit notices to state senators and representatives, unless a senator or representative requested to receive notices by mail.

The bill would take effect September 1, 2011.

SUPPORTERS SAY: CSHB 610 would assist TCEQ by promoting a more efficient distribution of information to state legislators. If they received notices electronically, legislators could more easily receive, track, and disseminate the various notices that they are required to receive from TCEQ.

The bill would reduce costs to TCEQ by reducing the amount of paper notices printed and mailed by the agency. Since TCEQ is building a legislative email database, it has already prepared for the implementation of this bill.

CShB 610 would benefit state senators and representatives by assisting with paper management in legislative offices. Since the bill would give legislators an option of receiving notices electronically or via mail, it also would give them the flexibility to decide what is best for their individual offices.

**OPPONENTS
SAY:**

Electronically mailed notices may be difficult to receive and track due to the large volume of emails that legislative offices receive on a daily basis.

Any expected savings in cost or paper may be lower than expected because state senators and representatives still could opt to receive paper notices.

NOTES:

The committee substitute differs from the original by adding a provision that would require TCEQ to electronically transmit any notices to state senators or representatives unless otherwise requested, and by omitting a requirement that the TCEQ chief clerk notify state senators and representatives of the intent to obtain certain permits by electronic mail.

The Legislative Budget Board estimated that CShB 610 would not have a significant fiscal impact.

The companion bill, SB 935 by Seliger, was considered in a March 31 public hearing and left pending by the Senate Select Committee on Open Government.