

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 359** SLS 20RS 596

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 7, 2020	4:04 PM	Author: HENSGENS
Dept./Agy.: Department of Natural Resources		Analyst: Rebecca Robinson
Subject: Coastal use permits		

COASTAL RESOURCES OR SEE FISC NOTE GF EX Page 1 of 1
Provides for the enforcement of coastal use permits. (gov sig)

Proposed legislation amends the statute relative to the Coastal Zone Management Program. Clarifies the authority of the Secretary of the Department of Natural Resources or the Attorney General to bring an action to impose civil liability or assess damages on actors who fail to obtain a coastal use permit or take actions which are not in accordance with the coastal use permit, for uses of state concern. Also creates the same authority for the same parties and local governments for uses that are not in conformity with uses of local concern.

Effective upon Governor's signature.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW					
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	SEE BELOW					
Annual Total						

REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	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	SEE BELOW					
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total						

EXPENDITURE EXPLANATION

There will be an indeterminable impact to expenditures of state and local governmental agencies as a result of the restrictions on initiating certain actions regarding coastal zones. Furthermore, the provisions of this act shall be applicable to all claims existing or pending on its effective date.

While there could be a decrease in expenditures of local governments in that the proposed change limits their ability to initiate certain actions, it is unclear how it would affect expenditures and costs incurred related to ongoing litigation.

The Attorney General has not provided a response to the fiscal note request. However, the LFO believes there could be an increase in expenditures of the state to the extent the Secretary of the Department of Natural Resources or the Attorney General chooses to intervene in existing actions; however, any such costs cannot be estimated at this time. The proposed legislation is not anticipated to impact the authority for future actions of the state.

REVENUE EXPLANATION

It is unclear at this time whether federal grants that fund programs at DNR would be impacted by the proposed legislation. The National Oceanic and Atmospheric Association (NOAA) awards federal grant dollars to DNR for use in coastal operations under the Coastal Zone Management Act (16 USC 1451, et seq). DNR has received has received a total of \$10.4M in federal grants in the past four years (FY 17 \$2M; FY 18 \$3.1M; FY 19 \$2.6M; FY 20 \$2.5 M) which have been used primarily for operating expenses of the coastal management program. The department may also apply for competitive grant funding for programmatic improvements.

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