



February 19, 2025

Honorable Kim Schofield
State Representative
409-G Coverdell Legislative Office Bldg.
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill (LC 44 2877ER)

Dear Representative Schofield:

This bill creates the Georgia Radiation Exposure Compensation Fund (Georgia RECA Fund), which would be funded through various sources and used to compensate individuals and communities exposed to radiation or other hazardous byproducts. The bill sets eligibility criteria for individuals and communities seeking compensation and sets requirements for filing claims. The bill also requires a monitoring program to conduct regular testing of soil, water, and air quality in impacted communities, identify new exposure risks, and publish annual reports. The Attorney General may bring action against industries responsible for contamination under the bill.

Information provided by the Department of Natural Resources' Environmental Protection Division (EPD), Department of Public Health (DPH), and Office of the Attorney General (OAG) indicates that the bill could cost at least \$1.5 million per year to implement, with one-time costs of at least \$783,000 (**Table 1**). One-time and annual costs of implementing a new monitoring program and enforcement actions could not be totaled because the potential workload is unknown, though costs could be in the millions. The bill could potentially generate revenue from civil penalties, though the amount cannot be estimated. Additional details are discussed below the table.

Table 1. Potential Costs by Agency

	Potential One-Time Costs	Potential Annual Costs
EPD		
RECA Fund	\$750,000	\$1,394,775
Monitoring Program	Unknown	Unknown
DPH	\$33,107	\$128,040
OAG	Unknown	Unknown
Total	At least \$783,107	At least \$1,522,815

Environmental Protection Division

As shown in **Table 2**, EPD's estimate includes the potential cost to administer the Georgia RECA Fund, but costs associated with the monitoring program are unknown.

- Georgia RECA Fund** - Estimated costs related to the fund include one-time costs for claims management software (\$750,000) and ongoing staffing costs (\$1.4 million). The federal RECA program was used to estimate staffing levels, though EPD’s interpretation is that its responsibilities under the bill are broader in scope.¹ EPD indicated it would need 11 staff to work directly with affected communities, handle potentially high call volume, and manage and process claims.² An additional six staff would be needed to administer the Georgia RECA Fund.

It should be noted that the amount of funding needed to pay monetary or remediation claims from the Georgia RECA Fund cannot be estimated. While the federal RECA program caps one-time, lump sum payments, the program proposed by the bill does not include a similar cap. Further, according to EPD, depending on scope, remediation could be costly. In addition, the bill does not specify penalty amounts associated with any noncompliance. Therefore, the amount of revenue that could be generated by the bill (and used to fund remediation efforts) cannot be determined.

- Monitoring Program** - Costs to implement the monitoring program could not be determined because the potential workload is not known. Information provided by EPD indicates that costs would largely be associated with additional staff, equipment and supplies, and laboratory expansion. However, these costs would vary significantly depending on workload (e.g., number of sites, number of samples). According to EPD, the wide scope of the proposed legislation could potentially require approximately 50 new positions³, with staffing and other operating costs totaling approximately \$4 million to \$5 million.

Table 2. EPD Estimated Costs

	<i>One Time</i>	<i>Annual</i>
RECA Fund Program		
Staffing ¹		
Support Personnel (11 positions)	\$0	\$888,919
RECA Fund Unit (6 positions)	\$0	\$505,856
IT (Claims Management Software)	<u>\$750,000</u>	<u>\$0</u>
Total	\$750,000	\$1,394,775
Monitoring Program		
Staffing	Unknown	Unknown
Laboratory Contract	Unknown	Unknown
Laboratory Expansion	Unknown	Unknown
Equipment/Supplies/Maintenance	Unknown	Unknown
Total	Unknown	Unknown

¹ Staffing costs include salaries and benefits, equipment, and travel costs associated with the positions.

Department of Public Health

DPH’s estimated one-time cost includes \$28,560 to make changes to an existing IT platform to allow constituents to report exposure to toxic events and related illnesses. Annual costs are related to ongoing IT expenses and one new epidemiologist position to carry out responsibilities assigned

¹ For FFY 2023, the federal RECA program was administered by four attorneys, five claims examiners, and seven contractors. According to EPD, the federal program handles an average of 1,288 claims annually.

² Potential costs of additional legal staff or adjudicators that may be needed to support a claims appeals process are not included in EPD’s estimates.

³ For example, new positions could include several monitoring units (a monitoring unit consists of one manager and five environmental compliance specialists) covering the water, air, and land protection branches; additional environmental compliance specialists; laboratory managers and staff; and a certified health physicist.

by the bill, which includes verifying medical documentation provided by individuals seeking compensation from the Georgia RECA Fund.

Office of the Attorney General

The OAG could not estimate the fiscal impact without knowing the workload expected to be generated by the bill. If the workload is significant, the OAG anticipates additional attorney positions would be needed to carry out responsibilities assigned by the bill, including pursuing civil and criminal actions against non-complaint entities and ensuring recovery of remediation costs. One new attorney position would cost approximately \$120,000 (salary and benefits).

Respectfully,



Greg S. Griffin
State Auditor



Richard Dunn, Director
Office of Planning and Budget

GSG/RD/dd