

By: Rosenthal

H.B. No. 2659

A BILL TO BE ENTITLED

AN ACT

relating to reporting requirements for certain accidental discharges or spills.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 26.039(b) and (g), Water Code, are amended to read as follows:

(b) Except as provided by Subsection (g), whenever an accidental discharge or spill occurs at or from any activity or facility which causes or may cause pollution, the individual operating, in charge of, or responsible for the activity or facility shall notify the commission and the county judge of the county in which the spill or discharge occurred as soon as possible and not later than 24 hours after the occurrence. The individual's notice to the commission and county judge must include the location, volume, and content of the discharge or spill.

(g) The individual is not required to notify the commission or a county judge of an accidental discharge or spill of treated or untreated domestic wastewater under Subsection (b) or officials or media under Subsection (e) of a single accidental discharge or spill that:

(1) occurs at a wastewater treatment or collection facility owned or operated by a local government;

(2) has a volume of 1,000 gallons or less;

(3) is not associated with another simultaneous

1 accidental discharge or spill;

2 (4) is controlled or removed before the accidental  
3 discharge or spill:

4 (A) enters water in the state; or

5 (B) adversely affects a public or private source  
6 of drinking water;

7 (5) will not endanger human health or safety or the  
8 environment; and

9 (6) is not otherwise subject to local regulatory  
10 control and reporting requirements.

11 SECTION 2. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2021.