

By: Hernandez

H.B. No. 1082

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the release of a tier two form listing hazardous
3 chemicals that is in the possession of a political subdivision of
4 this state.

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

6 SECTION 1. Section 505.006, Health and Safety Code, is
7 amended by amending Subsection (h) and adding Subsection (i) to
8 read as follows:

9 (h) Except as provided by Subsection (i) and Section
10 505.015, documents filed under this chapter are subject to Chapter
11 552, Government Code.

12 (i) Except as otherwise provided by this subsection, a tier
13 two form that is in the possession of a political subdivision of
14 this state is confidential and not subject to disclosure under
15 Chapter 552, Government Code. A political subdivision may release a
16 tier two form or information contained in the form to the public
17 only if:

18 (1) the tier two form or applicable information has
19 been made publicly available by the commission; or

20 (2) the information released only states the name of a
21 class of dangerous goods under the hazard classification system
22 used in the 2020 Emergency Response Guidebook published by the
23 United States Department of Transportation.

24 SECTION 2. Section 506.006, Health and Safety Code, is

1 amended by amending Subsection (g) and adding Subsection (h) to
2 read as follows:

3 (g) Except as provided by Subsection (h), documents
4 ~~[Documents]~~ filed under this chapter are subject to Chapter 552,
5 Government Code.

6 (h) Except as otherwise provided by this subsection, a tier
7 two form that is in the possession of a political subdivision of
8 this state is confidential and not subject to disclosure under
9 Chapter 552, Government Code. A political subdivision may release a
10 tier two form or information contained in the form to the public
11 only if:

12 (1) the tier two form or applicable information has
13 been made publicly available by the commission; or

14 (2) the information released only states the name of a
15 class of dangerous goods under the hazard classification system
16 used in the 2020 Emergency Response Guidebook published by the
17 United States Department of Transportation.

18 SECTION 3. Section 507.006, Health and Safety Code, is
19 amended by amending Subsection (h) and adding Subsection (i) to
20 read as follows:

21 (h) Except as provided by Subsection (i) and Section
22 507.012, documents filed under this chapter are subject to Chapter
23 552, Government Code.

24 (i) Except as otherwise provided by this subsection, a tier
25 two form that is in the possession of a political subdivision of
26 this state is confidential and not subject to disclosure under
27 Chapter 552, Government Code. A political subdivision may release a

1 tier two form or information contained in the form to the public
2 only if:

3 (1) the tier two form or applicable information has
4 been made publicly available by the commission; or

5 (2) the information released only states the name of a
6 class of dangerous goods under the hazard classification system
7 used in the 2020 Emergency Response Guidebook published by the
8 United States Department of Transportation.

9 SECTION 4. This Act takes effect September 1, 2023.