

By: Zwiener

H.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

relating to local government prohibitions or restrictions on the sale or use of a container or package.

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

SECTION 1. Section 361.0961(a), Health and Safety Code, is amended to read as follows:

(a) A local government or other political subdivision may not adopt an ordinance, rule, or regulation to:

(1) ~~[prohibit or restrict, for solid waste management purposes, the sale or use of a container or package in a manner not authorized by state law,~~

~~[(2)]~~ prohibit or restrict the processing of solid waste by a solid waste facility, except for a solid waste facility owned by the local government, permitted by the commission for that purpose in a manner not authorized by state law; or

(2) ~~[(3)]~~ assess a fee or deposit on the sale or use of a container or package.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.