

By: Birdwell, et al.  
(Landgraf)

S.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

relating to the recycling and disposal of consumer energy storage modules.

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

SECTION 1. Chapter 361, Health and Safety Code, is amended by adding Subchapter P to read as follows:

SUBCHAPTER P. CONSUMER ENERGY STORAGE MODULES

Sec. 361.471. DEFINITIONS. In this subchapter:

(1) "Consumer energy storage module" means a battery or other electrochemical device that stores chemical energy and transforms it into electrical energy to power a consumer product or electronic device.

(2) "Steward organization" means a group consisting of consumer energy storage module manufacturers, product manufacturers, or other members organized to promote the recycling of consumer energy storage modules.

Sec. 361.472. APPLICABILITY. This subchapter does not apply to:

(1) a lead-acid battery governed by Subchapter O;

(2) an alkaline battery; or

(3) a battery that the commission by rule determines is safe for disposal.

Sec. 361.473. PLACEMENT IN CERTAIN SOLID WASTE DISPOSAL OR RECYCLING STREAMS PROHIBITED. (a) Except as provided by

1 Subsection (b), a person may not place a consumer energy storage  
2 module in:

3 (1) a mixed municipal solid waste facility or curbside  
4 collection receptacle;

5 (2) a mixed metal recycling collection facility or  
6 curbside collection receptacle; or

7 (3) a municipal mixed recyclable material collection  
8 facility or curbside collection receptacle.

9 (b) This section does not apply to the placement of a  
10 consumer energy storage module in a facility or receptacle  
11 described by Subsection (a) in accordance with a local program that  
12 provides for the collection for recycling of a consumer energy  
13 storage module at a facility or by curbside collection.

14 Sec. 361.474. LIMITED LIABILITY FOR CERTAIN VIOLATIONS.  
15 Notwithstanding any other law, an individual consumer is not  
16 subject to civil, administrative, or criminal liability under  
17 Chapter 7, Water Code, for a violation of Section 361.473 that is  
18 inadvertent or incidental to noncommercial household use of a  
19 consumer energy storage module.

20 Sec. 361.475. NO DUTY OF CERTAIN FACILITY OPERATORS.  
21 Notwithstanding any other law, the owner or operator of a solid  
22 waste disposal facility, mixed metal recycling collection  
23 facility, or municipal mixed recyclable material collection  
24 facility:

25 (1) is not subject to civil, administrative, or  
26 criminal liability under Chapter 7, Water Code, if:

27 (A) a person places a consumer energy storage

1 module in the owner's or operator's facility; or

2 (B) a consumer energy storage module otherwise  
3 arrives at the owner's or operator's facility through the  
4 collection of solid waste or recyclable material for disposal or  
5 recycling at the facility; and

6 (2) has no duty to locate or remove a consumer energy  
7 storage module placed in or otherwise collected by the owner's or  
8 operator's facility.

9 Sec. 361.476. COMMISSION RULEMAKING REGARDING  
10 IDENTIFICATION OF COLLECTION BUSINESSES OR FACILITIES AND  
11 BATTERIES SAFE FOR DISPOSAL. The commission by rule shall  
12 identify:

13 (1) businesses or facilities in this state where an  
14 individual consumer, steward organization, or other person may  
15 place or deliver a consumer energy storage module for recycling or  
16 disposal; and

17 (2) types of batteries that the commission determines  
18 are safe for disposal for purposes of Section 361.472(3).

19 SECTION 2. As soon as practicable after the effective date  
20 of this Act, the Texas Commission on Environmental Quality shall  
21 adopt rules necessary to implement the changes in law made by this  
22 Act.

23 SECTION 3. This Act takes effect September 1, 2025.