

By: Kolkhorst

S.B. No. 2078

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of composting in certain counties;
authorizing a civil penalty.

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

SECTION 1. Subchapter B, Chapter 364, Health and Safety
Code, is amended by adding Section 364.020 to read as follows:

Sec. 364.020. DEPOSIT OF CERTAIN FOOD WASTE FOR COMPOSTING
IN CERTAIN COUNTIES PROHIBITED. (a) In this section:

(1) "Commercial food waste composting ordinance"
means a municipal ordinance that requires a multifamily residential
property, a business holding a food permit, or another business
owner to divert food waste from disposal in a landfill.

(2) "Composting facility" means a facility that
composts source-separated yard trimmings, clean wood material,
vegetative material, paper, manure, meat, fish, dead animal
carcasses, dairy materials, or meat and vegetable oils and greases
from a municipal, commercial, or institutional source.

(b) A person may not deposit at a composting facility
located in a county that does not contain a municipality with a
commercial food waste composting ordinance food waste that is:

(1) collected for composting in a municipality that
has a commercial food waste composting ordinance; and

(2) subject to such an ordinance.

(c) A person is liable for a civil penalty of \$1,000 for each

1 violation of Subsection (b).

2 (d) The attorney general may bring an action in a court of
3 competent jurisdiction to recover the civil penalty imposed under
4 this section.

5 (e) This section does not apply to an agricultural operation
6 as defined by Section [251.002](#), Agriculture Code.

7 SECTION 2. This Act takes effect September 1, 2025.