

BILL ANALYSIS

Senate Research Center
78R9229 JJT-F

H.B. 1678
By: Chisum (Armbrister)
Health & Human Services
5/10/2003
Engrossed

DIGEST AND PURPOSE

H.B. 1678 amends statute to replace the Radiation and Perpetual Care Fund with the Radiation and Perpetual Care Account in the general revenue fund, and provides for its management and use.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 401.003(11), Health and Safety Code, to define “perpetual care account,” rather than “fund.”

SECTION 2. Amends Sections 401.052(d) and (e), Health and Safety Code, as follows:

(d) Requires fees under this section to meet certain conditions.

(e) Requires money expended from the perpetual care account, rather than the radiation and perpetual care fund, to respond to accidents involving low-level radioactive waste to be reimbursed to the perpetual care account by the responsible shipper or transporter according to rules adopted by the Texas Board of Health. Makes a conforming change.

SECTION 3. Amends Section 401.109(a), Health and Safety Code, to require the Texas Department of Health or the Texas Commission on Environmental Quality to deposit security provided under this section to the credit of the perpetual care account.

SECTION 4. Amends Section 401.152(b), Health and Safety Code, to make a conforming change.

SECTION 5. Amends Section 401.270(e), Health and Safety Code, to make a conforming change.

SECTION 6. Amends Section 401.301(d), Health and Safety Code, to make a conforming change.

SECTION 7. Amends Section 401.303(g), Health and Safety Code, to make a conforming change.

SECTION 8. Amends Section 401.305, Health and Safety Code, as follows:

Sec. 401.305. New heading: RADIATION AND PERPETUAL CARE ACCOUNT. (a) Provides that the radiation and perpetual care account is an account in the general revenue fund, rather than in the state treasury.

(b)-(g). Make conforming changes.

SECTION 9. Amends Section 401.342(b), Health and Safety Code, to make a conforming change.

SECTION 10. Amends Section 401.343(a), Health and Safety Code, to make a conforming change.

SECTION 11. Amends Section 402.275(f), Health and Safety Code, to make a conforming change.

SECTION 12. Amends Section 7.033, Water Code, to make a conforming change.

SECTION 13. Effective date: September 1, 2003.