

BILL ANALYSIS

C.S.H.B. 2031
By: Puente
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The federal Environmental Protection Agency (EPA), in accord with the national Clean Water Act promulgated regulations implementing the National Pollutant Discharge Elimination System (NPDES). This federal law is to be implemented in two phases.

In 1999, the Texas Legislature passed legislation allowing Harris County, which, because of its large population, was classified as a Phase I county, to take any necessary or proper action to comply with the stormwater permitting program requirements under the NPDES.

The Texas Commission on Environmental Quality (TCEQ) is to issue rules implementing Phase II of this federal stormwater law later this summer. Phase II covers municipalities serving populations over 10,000 in urbanized counties. Like Harris County, Phase II entities will be responsible for:

- (1) developing and implementing controls to reduce pollutant discharge from any conveyance or conveyance system owned or operated by the county, district, or authority that is designed for collecting or conveying stormwater;
- (2) developing, implementing, and enforcing stormwater management guidelines, design criteria, or rules to reduce pollutant discharge into the conveyance or conveyance system;
- (3) assisting residents with the proper management of used oil and toxic materials, including holding household hazardous waste collection events; and
- (4) developing and producing educational tools and activities to reduce or lead to the reduction of pollutant discharge into stormwater.

The purpose of C.S.H.B. 2031 is to increase the number of Texas counties authorized to comply with stormwater permitting program requirements to include Bexar County.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2031 amends Section 423.001, Local Government Code, to expand the number of Texas counties made subject to Chapter 423 to include Bexar County.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Rather than reducing the county population bracket from 2.8 million to 1.2 million as stated in the original, C.S.H.B. 2031 adds “a county with a population of more than 1.3 million for which the primary source of drinking water is an underground aquifer” to the list of counties, districts, and authorities subject to Chapter 423, Local Government Code.