

## **BILL ANALYSIS**

S.B. 216  
By: Zaffirini  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Veterinarians across Texas treat animals infected with dangerous pathogens. The 77th Texas Legislature authorized veterinarians to burn or bury a carcass, provided that the burial or burning occurs on property owned by the veterinarian and the veterinarian does not charge for the disposal.

However, some veterinarians who believed they were complying with the law were cited and fined by the Texas Commission on Environmental Quality for burning medical waste as they destroyed contaminated carcasses. S.B. 216 would allow veterinarians to burn associated medical waste along with an animal carcass.

### **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**

Amends Section 801.361, Occupations Code, as follows: (a) Defines medical waste; (b) Authorizes a veterinarian under certain circumstances to dispose of the remains of an animal and medical waste associated with the animal by burial or burning; (c) Prohibits the Texas Commission on Environmental Quality (TCEQ) from adopting a rule that prohibits conduct authorized by this section, notwithstanding any other laws; and (d) Provides that this section prevails over any other law that authorizes a governmental entity to prohibit or restrict outdoor burning or abate a public nuisance and deletes text referencing a county with a population of less than 10,000.

### **EFFECTIVE DATE**

September 1, 2003.