

By: Chisum (Senate Sponsor - Armbrister) H.B. No. 43  
(In the Senate - Received from the House March 19, 2003;  
March 26, 2003, read first time and referred to Committee on  
Natural Resources; April 14, 2003, reported adversely, with  
favorable Committee Substitute by the following vote: Yeas 6, Nays  
0; April 14, 2003, sent to printer.)

COMMITTEE SUBSTITUTE FOR H.B. No. 43 By: Armbrister

A BILL TO BE ENTITLED  
AN ACT

relating to the funding of and the making of grants by the Texas  
Council on Environmental Technology.

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

SECTION 1. Section 387.002(b), Health and Safety Code, is  
amended to read as follows:

(b) The Texas Council on Environmental Technology shall  
work to enhance the entrepreneurial and inventive spirit of Texans  
to assist in developing solutions to air, water, and waste problems  
by:

(1) identifying and evaluating new technologies and  
seeking the approval of the United States Environmental Protection  
Agency for and facilitating the deployment of those technologies;  
~~[and]~~

(2) assisting the commission and the United States  
Environmental Protection Agency in the process of ensuring credit  
for new, innovative, and creative technological advancements;

(3) competing for and managing federal grants and  
funds from other sources available for carrying out the objectives  
of the council; and

(4) entering into public-private partnerships to  
facilitate development of environmental technology infrastructure  
in this state.

SECTION 2. Section 387.003, Health and Safety Code, is  
amended by adding Subsection (c) to read as follows:

(c) When making a grant under the program, the Texas Council  
on Environmental Technology may collect a fee from the grant  
recipient in an amount not to exceed five percent of the amount of  
the grant to be used by the council only to:

(1) monitor project progress;  
(2) disseminate information about project  
accomplishments;

(3) track technology deployment into the marketplace;  
and

(4) provide estimates of the impact that  
commercialization of funded projects will have on the environment.

SECTION 3. Section 387.005, Health and Safety Code, is  
amended by adding Subsection (f) to read as follows:

(f) If a member of the Texas Council on Environmental  
Technology is an employee or owner of an entity that applies for a  
grant under this chapter, the member, before a vote on the grant,  
shall disclose the fact of the member's employment or ownership.  
The disclosure must be entered into the minutes of the meeting. The  
member may not vote on or otherwise participate in the awarding of  
the grant. If the member does not comply with this subsection, the  
entity is not eligible for the grant.

SECTION 4. Section 387.008(a), Health and Safety Code, is  
amended to read as follows:

(a) The environmental research fund is an account in the  
general revenue fund. The fund consists of fees collected under  
Section 387.003(c) and money from gifts, grants, or donations to  
the fund for designated or general use and from any other source  
designated by the legislature.

SECTION 5. This Act takes effect immediately if it receives  
a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this  
2-2 Act does not receive the vote necessary for immediate effect, this  
2-3 Act takes effect September 1, 2003.

2-4

\* \* \* \* \*