

By: Smith of Harris

H.B. No. 1249

A BILL TO BE ENTITLED

AN ACT

relating to environmental testing laboratories.

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

SECTION 1. Section 5.127, Water Code, as added by Chapter 965, Acts of the 77th Legislature, Regular Session, 2001, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) The commission may accept for use in commission decisions data and analysis prepared by:

(1) an on-site or in-house environmental testing laboratory if the laboratory:

(A) is periodically inspected by the commission;

or

(B) is located out-of-state and is accredited and inspected periodically by the other state's environmental regulatory agency;

(2) an environmental testing laboratory that is accredited under federal law; or

(3) if the data and analysis are necessary for emergency response activities and the required data and analysis are not otherwise available, an environmental testing laboratory that is not accredited by the commission under Subchapter R or under federal law.

(e) For the purposes of Subsection (b)(1), "on-site

1 laboratory" includes a laboratory operated on a site shared by one
2 or more entities, regardless of which entity owns or operates the
3 laboratory.

4 SECTION 2. Subchapter R, Chapter 5, Water Code, is amended
5 by adding Section 5.808 to read as follows:

6 Sec. 5.808. ENVIRONMENTAL LABORATORY OPERATED BY
7 PUBLIC-PRIVATE PARTNERSHIP. A laboratory accredited under this
8 subchapter that is operated by a public-private partnership may
9 perform work without compensation for a governmental or charitable
10 organization.

11 SECTION 3. This Act takes effect September 1, 2003.