

1-1 By: Chisum, Rodriguez H.B. No. 1791  
1-2 (Senate Sponsor - Armbrister)  
1-3 (In the Senate - Received from the House May 5, 2003;  
1-4 May 7, 2003, read first time and referred to Committee on State  
1-5 Affairs; May 23, 2003, reported favorably by the following vote:  
1-6 Yeas 6, Nays 0; May 23, 2003, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to permits for the commercial composting of certain solid  
1-10 wastes.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 361.428, Health and Safety Code, is  
1-13 amended by adding Subsections (d) and (e) to read as follows:

1-14 (d) A person may not commercially compost grease trap waste,  
1-15 as defined by the commission, unless the person has first obtained a  
1-16 permit for composting grease trap waste issued by the commission  
1-17 under this section on or after September 1, 2003.

1-18 (e) The permit to compost grease trap waste must meet the  
1-19 minimum standards of a permit issued under rules adopted under  
1-20 Subsection (b).

1-21 SECTION 2. (a) The Texas Commission on Environmental  
1-22 Quality shall:

1-23 (1) not later than November 1, 2003:

1-24 (A) adopt any rules necessary for the  
1-25 implementation of this Act; and

1-26 (B) notify any person known by the commission to  
1-27 be engaged in the business of composting grease trap waste to submit  
1-28 an application for a permit under Section 361.428(d), Health and  
1-29 Safety Code, as added by this Act; and

1-30 (2) not later than January 1, 2004, begin issuing  
1-31 permits for the commercial composting of grease trap waste under  
1-32 Sections 361.428(d) and (e), Health and Safety Code, as added by  
1-33 this Act.

1-34 (b) This Act does not prohibit a person who is engaged in the  
1-35 business of composting grease trap waste on the effective date of  
1-36 this Act from continuing to engage in that business if the person:

1-37 (1) submits an application for a permit under Section  
1-38 361.428(d), Health and Safety Code, as added by this Act, not later  
1-39 than the 30th day after receiving notice from the Texas Commission  
1-40 on Environmental Quality under Subsection (a)(1)(B) of this  
1-41 section; and

1-42 (2) receives the permit from the commission on or  
1-43 before June 1, 2004.

1-44 SECTION 3. This Act takes effect immediately if it receives  
1-45 a vote of two-thirds of all the members elected to each house, as  
1-46 provided by Section 39, Article III, Texas Constitution. If this  
1-47 Act does not receive the vote necessary for immediate effect, this  
1-48 Act takes effect September 1, 2003.

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