

By: Carona

S.B. No. 887

A BILL TO BE ENTITLED

AN ACT

relating to solid waste disposal fees.

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

SECTION 1. Section 361.013(a), Health and Safety Code, is amended to read as follows:

(a) Except as provided by Subsections (e) through (i), the commission shall charge a fee on all solid waste that is disposed of within this state. The fee is 65 cents [~~\$1.25~~] per ton received for disposal at a municipal solid waste landfill if the solid waste is measured by weight. If the solid waste is measured by volume, the fee for compacted solid waste is 40 cents per cubic yard or, for uncompactd solid waste, 25 cents per cubic yard received for disposal at a municipal solid waste landfill. The commission shall set the fee for sludge or similar waste applied to the land for beneficial use on a dry weight basis and for solid waste received at an incinerator or a shredding and composting facility at half the fee set for solid waste received for disposal at a landfill. The commission may charge comparable fees for other means of solid waste disposal that are used.

SECTION 2. Sections 361.014(a) and (d), Health and Safety Code, are amended to read as follows:

(a) Revenue received by the commission under Section 361.013 shall be deposited in the state treasury to the credit of the commission and [~~Half of the revenue~~] is dedicated to the

1 commission's municipal solid waste permitting and enforcement
2 programs and related support activities and to pay for activities
3 that will enhance the state's solid waste management program,
4 including:

5 (1) provision of funds for the municipal solid waste
6 management planning fund and the municipal solid waste resource
7 recovery applied research and technical assistance fund
8 established by the Comprehensive Municipal Solid Waste Management,
9 Resource Recovery, and Conservation Act (Chapter 363);

10 (2) conduct of demonstration projects and studies to
11 help local governments of various populations and the private
12 sector to convert to accounting systems and set rates that reflect
13 the full costs of providing waste management services and are
14 proportionate to the amount of waste generated;

15 (3) provision of technical assistance to local
16 governments concerning solid waste management;

17 (4) establishment of a solid waste resource center in
18 the commission and an office of waste minimization and recycling;

19 (5) provision of supplemental funding to local
20 governments for the enforcement of this chapter, the Texas Litter
21 Abatement Act (Chapter 365), and Chapters 391 and 683,
22 Transportation Code;

23 (6) conduct of a statewide public awareness program
24 concerning solid waste management;

25 (7) provision of supplemental funds for other state
26 agencies with responsibilities concerning solid waste management,
27 recycling, and other initiatives with the purpose of diverting

1 recyclable waste from landfills;

2 (8) conduct of research to promote the development and
3 stimulation of markets for recycled waste products;

4 (9) creation of a state municipal solid waste
5 superfund for:

6 (A) the cleanup of unauthorized tire dumps and
7 solid waste dumps for which a responsible party cannot be located or
8 is not immediately financially able to provide the cleanup; and

9 (B) the cleanup or proper closure of abandoned or
10 contaminated municipal solid waste sites for which a responsible
11 party is not immediately financially able to provide the cleanup;

12 (10) provision of funds to mitigate the economic and
13 environmental impacts of lead-acid battery recycling activities on
14 local governments; and

15 (11) provision of funds for the conduct of research by
16 a public or private entity to assist the state in developing new
17 technologies and methods to reduce the amount of municipal waste
18 disposed of in landfills.

19 (d) Revenues allocated to the commission for the purposes
20 authorized by Subsection (a) shall be deposited to the credit of the
21 waste management account. ~~[Revenues allocated to local and
22 regional solid waste projects shall be deposited to the credit of an
23 account in the general revenue fund known as the municipal solid
24 waste disposal account.]~~

25 SECTION 3. Section 361.014(b), Health and Safety Code, is
26 repealed.

27 SECTION 4. Money dedicated to local and regional solid

1 waste projects that is in the municipal solid waste disposal
2 account on the effective date of this Act is dedicated on that date
3 to the purposes stated in Section 361.014(a), Health and Safety
4 Code, as amended by this Act.

5 SECTION 5. This Act takes effect September 1, 2003.