

By: McReynolds

H.B. No. 2370

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of poultry facilities.

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

SECTION 1. Section 26.301, Water Code, is amended by adding Subdivision (5) to read as follows:

(5) "Liquid waste handling system" means a system in which fresh water or wastewater is used for the transportation and land application of waste.

SECTION 2. Section 26.302, Water Code, is amended by adding Subsections (b-1) and (d) to read as follows:

(b-1) The State Soil and Water Conservation Board may certify a water quality management plan for a poultry facility if the poultry facility:

(1) does not use a liquid waste handling system; and  
(2) is required to obtain a permit or other authorization from the commission.

(d) This section does not affect the authority of the commission to investigate or take enforcement action against a point source discharge under Section 26.121.

SECTION 3. Section 201.026(e), Agriculture Code, as added by Section 1, Chapter 1189, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(e) At the request of the landowner, the state board may develop and certify a water quality management plan for any

1 agricultural or silvicultural land in the state. Section  
2 26.302(b-1), Water Code, applies to a water quality management plan  
3 developed or certified for use by a poultry facility under this  
4 section.

5 SECTION 4. This Act takes effect September 1, 2005.