

1-1 By: McReynolds, et al. (Senate Sponsor - Staples) H.B. No. 2370
1-2 (In the Senate - Received from the House April 27, 2005;
1-3 April 29, 2005, read first time and referred to Committee on
1-4 Natural Resources; May 21, 2005, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 21, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the regulation of poultry facilities.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 26.0286(a), Water Code, is amended by
1-11 adding Subdivision (3) to read as follows:

1-12 (3) "Liquid waste handling system" means a system in
1-13 which fresh water or wastewater is used for transporting and land
1-14 applying waste.

1-15 SECTION 2. Section 26.0286, Water Code, is amended by
1-16 adding Subsection (d) to read as follows:

1-17 (d) This section does not apply to a poultry operation that
1-18 does not use a liquid waste handling system.

1-19 SECTION 3. Section 26.301, Water Code, is amended by adding
1-20 Subdivision (5) to read as follows:

1-21 (5) "Liquid waste handling system" has the meaning
1-22 assigned by Section 26.0286.

1-23 SECTION 4. Section 26.302, Water Code, is amended by adding
1-24 Subsections (b-1) and (d) to read as follows:

1-25 (b-1) The State Soil and Water Conservation Board may
1-26 certify a water quality management plan for a poultry facility
1-27 that:

1-28 (1) does not use a liquid waste handling system; and

1-29 (2) has obtained a permit or other authorization from
1-30 the commission.

1-31 (d) This section does not affect the authority of the
1-32 commission to investigate or take enforcement action against an
1-33 unauthorized discharge under Section 26.121.

1-34 SECTION 5. Section 201.026(e), Agriculture Code, as added
1-35 by Section 1, Chapter 1189, Acts of the 77th Legislature, Regular
1-36 Session, 2001, is amended to read as follows:

1-37 (e) At the request of the landowner, the state board may
1-38 develop and certify a water quality management plan for any
1-39 agricultural or silvicultural land in the state. Section
1-40 26.302(b-1), Water Code, applies to a water quality management plan
1-41 developed or certified for use by a poultry facility under this
1-42 section.

1-43 SECTION 6. This Act takes effect September 1, 2005.

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