

By: Eltife

S.B. No. 1665

Substitute the following for S.B. No. 1665:

By: Howard

C.S.S.B. No. 1665

A BILL TO BE ENTITLED

AN ACT

relating to outdoor burning in certain counties under the Texas Clean Air Act.

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

SECTION 1. Section 382.018, Health and Safety Code, is amended to read as follows:

Sec. 382.018. OUTDOOR BURNING OF WASTE AND COMBUSTIBLE MATERIAL. (a) Except as provided by Subsection (b), the [The] commission by rule may control and prohibit the outdoor burning of waste and combustible material and may include requirements concerning the particular method to be used to control or abate the emission of air contaminants resulting from that burning.

(b) The commission may not control or prohibit outdoor burning of waste consisting of trees, brush, grass, leaves, branch trimmings, or other plant growth if:

(1) the person burning the waste is doing so at a site:

(A) designated for consolidated burning of waste generated from specific residential properties;

(B) located in a county with a population of less than 50,000;

(C) located outside of a municipality; and

(D) supervised at the time of the burning by an employee of a fire department who is part of the fire protection personnel, as defined by Section 419.021, Government Code, of the

1 department and is acting in the scope of the person's employment;
2 and

3 (2) the waste was generated from a property for which
4 the site is designated.

5 (c) A fire department employee who will supervise a burning
6 under Subsection (b)(1)(D) shall notify the commission of each
7 burning supervised by the employee, and the commission shall
8 provide the employee with information on practical alternatives to
9 burning.

10 SECTION 2. This Act takes effect September 1, 2005.