

1-1 By: Eltife S.B. No. 1665
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 26, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 11, Nays 0; April 26, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1665 By: Seliger

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to outdoor burning in certain counties under the Texas
1-11 Clean Air Act.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 382.018, Health and Safety Code, is
1-14 amended to read as follows:

1-15 Sec. 382.018. OUTDOOR BURNING OF WASTE AND COMBUSTIBLE
1-16 MATERIAL. (a) Except as provided by Subsection (b), the [The]
1-17 commission by rule may control and prohibit the outdoor burning of
1-18 waste and combustible material and may include requirements
1-19 concerning the particular method to be used to control or abate the
1-20 emission of air contaminants resulting from that burning.

1-21 (b) The commission may not control or prohibit outdoor
1-22 burning of waste consisting of trees, brush, grass, leaves, branch
1-23 trimmings, or other plant growth if:

1-24 (1) the person burning the waste is doing so at a site:

1-25 (A) designated for consolidated burning of waste
1-26 generated from specific residential properties;

1-27 (B) located in a county with a population of less
1-28 than 50,000;

1-29 (C) located outside of a municipality; and

1-30 (D) supervised at the time of the burning by an
1-31 employee of a fire department who is part of the fire protection
1-32 personnel, as defined by Section 419.021, Government Code, of the
1-33 department and is acting in the scope of the person's employment;
1-34 and

1-35 (2) the waste was generated from a property for which
1-36 the site is designated.

1-37 SECTION 2. This Act takes effect September 1, 2005.

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