

AN ACT

relating to the regulation of poultry facilities.

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

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

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

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

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

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

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

SECTION 4. 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 that:

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

(2) is required to obtain a permit or other authorization from the commission.

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

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

7        (e) At the request of the landowner, the state board may  
8 develop and certify a water quality management plan for any  
9 agricultural or silvicultural land in the state. Section  
10 26.302(b-1), Water Code, applies to a water quality management plan  
11 developed or certified for use by a poultry facility under this  
12 section.

13        SECTION 6. This Act takes effect September 1, 2005.

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 1707 passed the Senate on April 21, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2005, by the following vote: Yeas 29, Nays 0.

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Secretary of the Senate

I hereby certify that S.B. No. 1707 passed the House, with amendment, on May 25, 2005, by a non-record vote.

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Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor