

By: Staples

S.B. No. 1707

Substitute the following for S.B. No. 1707:

By: Kuempel

C.S.S.B. No. 1707

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 26.0286(a), 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. Section 201.026(e), Agriculture Code, as added  
5 by Section 1, Chapter 1189, Acts of the 77th Legislature, Regular  
6 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.