

1-1 By: Staples S.B. No. 1707
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Subcommittee on Agriculture and Coastal
1-4 Resources; April 7, 2005, reported favorably to Committee on
1-5 Natural Resources; April 13, 2005, reported favorably from
1-6 Committee on Natural Resources by the following vote: Yeas 8,
1-7 Nays 0; April 13, 2005, sent to printer.)

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

1-10 relating to the regulation of poultry facilities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 26.301, Water Code, is amended by adding
1-13 Subdivision (5) to read as follows:

1-14 (5) "Liquid waste handling system" means a system in
1-15 which fresh water or wastewater is used for the transportation and
1-16 land application of waste.

1-17 SECTION 2. Section 26.302, Water Code, is amended by adding
1-18 Subsections (b-1) and (d) to read as follows:

1-19 (b-1) The State Soil and Water Conservation Board may
1-20 certify a water quality management plan for a poultry facility if
1-21 the poultry facility:

1-22 (1) does not use a liquid waste handling system; and

1-23 (2) is required to obtain a permit or other
1-24 authorization from the commission.

1-25 (d) This section does not affect the authority of the
1-26 commission to investigate or take enforcement action against a
1-27 point source discharge under Section 26.121.

1-28 SECTION 3. Subsection (e), Section 201.026, Agriculture
1-29 Code, as added by Section 1, Chapter 1189, Acts of the 77th
1-30 Legislature, Regular Session, 2001, is amended to read as follows:

1-31 (e) At the request of the landowner, the state board may
1-32 develop and certify a water quality management plan for any
1-33 agricultural or silvicultural land in the state. Section
1-34 26.302(b-1), Water Code, applies to a water quality management plan
1-35 developed or certified for use by a poultry facility under this
1-36 section.

1-37 SECTION 4. This Act takes effect September 1, 2005.

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