

1-1 By: Staples S.B. No. 1710
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 18, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 18, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1710 By: Staples

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

1-10 relating to outdoor burning under the Texas Clean Air Act.

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

1-12 SECTION 1. Section 382.018, Health and Safety Code, is
1-13 amended to read as follows:

1-14 Sec. 382.018. OUTDOOR BURNING OF WASTE AND COMBUSTIBLE
1-15 MATERIAL. (a) The commission by rule may control and prohibit the
1-16 outdoor burning of waste and combustible material and may include
1-17 requirements concerning the particular method to be used to control
1-18 or abate the emission of air contaminants resulting from that
1-19 burning.

1-20 (b) The commission by rule shall authorize outdoor burning
1-21 of waste if the waste:

1-22 (1) consists of trees, brush, grass, leaves, branch
1-23 trimmings, or other plant growth; and

1-24 (2) is burned:

1-25 (A) in an area that meets the national ambient
1-26 air quality standards; and

1-27 (B) on the property on which it was generated and
1-28 by the owner of the property or any other person authorized by the
1-29 owner.

1-30 (c) Rules adopted under Subsection (b) may not:

1-31 (1) require prior commission approval of the burning;

1-32 or

1-33 (2) authorize the burning only when no practical
1-34 alternative to burning exists.

1-35 SECTION 2. This Act takes effect September 1, 2005.

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