

## **BILL ANALYSIS**

C.S.H.B. 3581  
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County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Chapter 343 of the Health and Safety Code governs the abatement of public nuisances in unincorporated areas of Texas counties and gives counties the authority to abate nuisances.

C.S.H.B. 3581 expands the definition of a public nuisance to include the discarding of refuse on property that is not authorized for that activity. The bill also gives counties and courts the authority to properly deal with such refuse.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3581 makes it a public nuisance to discard refuse on property that is not authorized for that activity. It also amends Chapter 343 to provide for proper waste management procedures for abating such refuse, to allow courts to issue injunctions to abate violations of the section, and to authorize a county to properly abate such refuse and to assess costs against responsible parties.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original version of HB. 3581 was not drafted by the Legislative Council. The proposed complete committee substitute for H.B. 3581 is a Legislative Council draft.