

BILL ANALYSIS

Senate Research Center
80R1807 ATP-F

S.B. 196
By: Gallegos
Intergovernmental Relations
2/15/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Title 30, Texas Administrative Code, authorizes outdoor burning to dispose of domestic waste when the burning occurs at a property designed for and used exclusively as a private residence, the private residence houses not more than three families, the collection of domestic waste is not provided or authorized by the local governmental entity having jurisdiction, or the waste is generated only from the property.

The particulate matter released during the burning of trash, wood matter, plastic, or leaves can cause shortness of breath and coughing, especially in children, the elderly, and pregnant women. In addition, it can aggravate patients with lung cancer, allergies, respiratory disease, and cardiovascular disease. The potential for such adverse health effects increases for persons in close proximity to the burning site. Therefore, in urban areas such as Harris County, there is greater potential for adverse health effects from outdoor burning of domestic waste.

As proposed, S.B. 196 prohibits outdoor burning of household refuse in unincorporated areas of counties with a population over 3.3 million, reducing the potential for nuisance conditions and health concerns in urban counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 352.082(a), Local Government Code, to specify that this section (Outdoor Burning of Household Refuse in Certain Residential Areas) applies to the unincorporated area of a county with a population of 3.3 million or more. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 2007.