

By: Kuempel

H.B. No. 3547

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of a private entity to provide hazardous  
3 materials services.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 353.003, Local Government Code, is  
6 amended by adding Subsection (d) to read as follows:

7 (d) If a county does not provide hazardous materials  
8 services under this chapter in response to an incident, a private  
9 entity may provide hazardous materials services in response to the  
10 incident, including limited control and containment measures under  
11 Subsection (b), in the manner provided by this chapter. A private  
12 entity must comply with this chapter in providing the hazardous  
13 materials services.

14 SECTION 2. Section 353.004, Local Government Code, is  
15 amended by adding Subsection (d) to read as follows:

16 (d) A private entity that provides hazardous materials  
17 services under Section 353.003(d) may charge to a concerned party a  
18 reasonable fee, including a fee to offset the cost of providing  
19 control and containment measures under Section 353.003(b), for  
20 responding to a hazardous materials service call. The requirements  
21 of this section apply to the recovery of a fee under this  
22 subsection.

23 SECTION 3. This Act takes effect September 1, 2007.