

By: Wentworth

S.B. No. 594

A BILL TO BE ENTITLED

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AN ACT

relating to a public agency's, county's, or municipality's authority to enforce a solid waste collection and transportation services franchise.

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

SECTION 1. Section 364.034, Health and Safety Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e) This section does not apply to a person who provides the public or private entity, public agency, or county with written documentation that the person is receiving solid waste disposal services from another entity. Except as provided by Subsection (f), nothing ~~[Nothing]~~ in this section shall limit the authority of a municipality to enforce its grant of a franchise for solid waste collection and transportation services within its territory.

(f) Notwithstanding Subsections (a)-(e), a political subdivision, including a county or a municipality, may not restrict the right of an entity to contract with a licensed waste hauler for the collection and removal of domestic septage or of grease trap waste, grit trap waste, lint trap waste, or sand trap waste.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2007.