

BILL ANALYSIS

H.B. 3543
By: Lucio III
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Illegal dumping is a major environmental and public health issue that can have very negative impacts on the water quality of Texas surface water bodies. The nature of illegal dumping, however, makes it difficult for law enforcement agencies to combat this crime.

H.B. 3543 creates the "Don't Mess with Texas Water" program, to be administered by the Texas Commission on Environmental Quality ("the commission"), that will place signs on major highway water crossings that provides a toll-free hotline to report illegal dumping. The program will be optional for local governments, and will be a method for combating the rising incidence of illegal dumping in Texas.

RULEMAKING AUTHORITY

It is the Committee's opinion that rulemaking authority is expressly granted to the to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 26, Water Code, by adding Section 26.053, as follows:

Sec. 26.053. DON'T MESS WITH TEXAS WATER PROGRAM. Provides that the commission by rule establish a program to prevent illegal dumping that affects the surface waters of this state by placing signs on major highway water crossings that notify drivers of a toll-free number to call to report illegal dumping. Provides that the commission establish a toll-free hotline that forwards calls to the appropriate law enforcement agency. Provides that a local government may participate in the program and if participating, that such local government must contribute to the cost of operating the toll-free hotline. Provides that that the Texas Department of Transportation shall cooperate with the commission in placing the signs required by this Act.

SECTION 2. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2009.