

By: Jackson

S.B. No. 1080

A BILL TO BE ENTITLED

AN ACT

1
2 relating to compliance with federal occupational safety and health
3 standards in environmental enforcement.

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

5 SECTION 1. Subchapter F, Chapter 7, Water Code, is amended
6 by adding Section 7.256 to read as follows:

7 Sec. 7.256. COMPLIANCE WITH FEDERAL OCCUPATIONAL SAFETY AND
8 HEALTH STANDARDS. If a person can establish that an act or event
9 that otherwise would be a violation of a statute within the
10 commission's jurisdiction or a rule adopted or an order or permit
11 issued by the commission under such a statute was caused solely by
12 compliance with the general duty clause of the federal Occupational
13 Safety and Health Act of 1970 (29 U.S.C. Section 654), the act or
14 event is not a violation of that statute, rule, order, or permit.

15 SECTION 2. This Act takes effect September 1, 2009.