

1-1 By: Jackson S.B. No. 1080  
1-2 (In the Senate - Filed February 23, 2009; March 13, 2009,  
1-3 read first time and referred to Committee on Natural Resources;  
1-4 March 30, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 8, Nays 0; March 30, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1080 By: Deuell

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to compliance with federal occupational safety and health  
1-11 standards in environmental enforcement.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter F, Chapter 7, Water Code, is amended  
1-14 by adding Section 7.256 to read as follows:

1-15 Sec. 7.256. COMPLIANCE WITH FEDERAL OCCUPATIONAL SAFETY AND  
1-16 HEALTH STANDARDS. If a person can establish that an act or event  
1-17 that otherwise would be a violation of a statute within the  
1-18 commission's jurisdiction or a rule adopted or an order or permit  
1-19 issued by the commission under such a statute was caused solely by  
1-20 compliance with the general duty clause of the federal Occupational  
1-21 Safety and Health Act of 1970 (29 U.S.C. Section 654), the act or  
1-22 event is not a violation of that statute, rule, order, or permit.

1-23 SECTION 2. This Act takes effect September 1, 2009.

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