

Amend CSHB 400 (house committee printing) by inserting the following appropriately numbered SECTIONS into the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 361.425(a) and (b), Health and Safety Code, are amended to read as follows:

(a) A state agency, state court or judicial agency, a university system or institution of higher education, a county, municipality, ~~[school district,]~~ or special district other than a school district shall:

(1) in cooperation with the comptroller or the commission establish a program for the separation and collection of all recyclable materials generated by the entity's operations, including, at a minimum, aluminum, steel containers, aseptic packaging and polycoated paperboard cartons, high-grade office paper, and corrugated cardboard;

(2) provide procedures for collecting and storing recyclable materials, containers for recyclable materials, and procedures for making contractual or other arrangements with buyers of recyclable materials;

(3) evaluate the amount of recyclable material recycled and modify the recycling program as necessary to ensure that all recyclable materials are effectively and practicably recycled; and

(4) establish educational and incentive programs to encourage maximum employee participation.

(b) The commission by order shall exempt a ~~[school district or a]~~ municipality with a population of less than 5,000 from compliance with this section if the commission finds that compliance would work a hardship on ~~[the district or]~~ the municipality. The commission shall adopt rules for administering this subsection.

SECTION \_\_\_\_\_. Sections 361.426(a) and (d), Health and Safety Code, are amended to read as follows:

(a) A state agency, state court, or judicial agency not subject to Subtitle D, Title 10, Government Code, a county, municipality, ~~[school district,]~~ junior or community college district, or special district other than a school district shall

give preference in purchasing to products made of recycled materials if the products meet applicable specifications as to quantity and quality.

(d) The commission by order shall exempt a [~~school district~~  
~~or a~~] municipality with a population of less than 5,000 from compliance with this section if the commission finds that compliance would work a hardship on [~~the district or~~] the municipality. The commission shall adopt rules for administering this subsection.