

## **BILL ANALYSIS**

C.S.H.B. 2025  
By: McClendon  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, a county has the authority to implement a county solid waste program and regulate solid waste collection, handling, storage, and disposal in areas of the county not in a municipality or in the extraterritorial jurisdiction of a municipality. C.S.H.B. 2025 establishes provisions relating to the implementation of county solid waste management programs in the extraterritorial jurisdiction of certain municipalities in certain counties.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2025 amends the Health and Safety Code to authorize a commissioners court of a county with a population of more than 1.5 million in which at least 75 percent of the population resides in a single municipality by rule to regulate solid waste collection, handling, storage, and disposal by establishing a mandatory program in an area located within the extraterritorial jurisdiction of a municipality if the municipality does not provide solid waste disposal services in that area. The bill makes a conforming change.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2025 differs from the original by retaining statutory language authorizing a commissioners court by rule to regulate solid waste collection, handling, storage, and disposal in the extraterritorial jurisdiction of a municipality, whereas the original removes that statutory language.

C.S.H.B. 2025 differs from the original by making provisions authorizing a commissioners court by rule to regulate solid waste collection, handling, storage, and disposal in the extraterritorial jurisdiction of a municipality apply only to a county with a population of more than 1.5 million in which at least 75 percent of the population resides in a single municipality, whereas the original does not include such a geographic restriction.

C.S.H.B. 2025 differs from the original by making provisions authorizing a commissioners court by rule to regulate solid waste collection, handling, storage, and disposal in the extraterritorial jurisdiction of a municipality apply only if the municipality does not provide solid waste disposal services in that area, whereas the original makes those provisions apply only if the area has a certain population density and the area has an established problem with the illegal dumping of household garbage.

C.S.H.B. 2025 omits a provision included in the original removing statutory language relating to the procedure for opting out of solid waste disposal services offered by a public agency or a county and to the authority of such an entity to enforce its grant of services within its territory.

C.S.H.B. 2025 differs from the original in a nonsubstantive way by making a conforming change.