

By: Hardcastle

H.B. No. 2013

Substitute the following for H.B. No. 2013:

By: Chisum

C.S.H.B. No. 2013

A BILL TO BE ENTITLED

AN ACT

relating to the disposal of demolition waste from abandoned or nuisance buildings in certain areas.

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

SECTION 1. Subchapter C, Chapter 316, Health and Safety Code, is amended by adding Section 361.126 to read as follows:

Sec. 361.126. DISPOSAL OF DEMOLITION WASTE FROM ABANDONED OR NUISANCE BUILDING. (a) The commission may issue a permit by rule to authorize the governing body of a county or municipality with a population of 10,000 or less to dispose of demolition waste from an abandoned building or building found to be a nuisance if the disposal occurs on land that:

(1) the county or municipality owns or controls; and

(2) would qualify for an arid exemption under commission rules.

(b) The county or municipality must have acquired ownership or control of the building through bankruptcy, tax delinquency, or condemnation, with the previous owner of the building not being financially capable of paying the costs to transport and dispose of the demolition waste at a permitted solid waste disposal facility.

(c) The commission shall adopt rules under Section 361.024 to control the collection, handling, storage, processing, and disposal of demolition waste under this section to protect public and private property, rights-of-way, groundwater, and any other

1 right that requires protection.

2           SECTION 2. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2011.