

By: Seliger

S.B. No. 1605

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Low-Level Radioactive Waste Disposal Compact Commission.

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

SECTION 1. Section 401.248, Health and Safety Code, is amended by adding Subsection (e) to read as follows:

(e) The compact waste disposal facility license holder may not accept compact waste at the compact waste disposal facility unless the compact commission established by the compact under Section 403.006 has adopted bylaws necessary to carry out the terms of the compact.

SECTION 2. Chapter 403, Health and Safety Code, is amended by adding Section 403.0005 to read as follows:

Sec. 403.0005. DEFINITION. In this chapter, "commission" means the commission established by Article III of the Texas Low-Level Radioactive Waste Disposal Compact.

SECTION 3. Chapter 403, Health and Safety Code, is amended by adding Sections 403.007, 403.008, 403.009, and 403.010 to read as follows:

Sec. 403.007. COMMISSION AS INDEPENDENT ENTITY. (a) The commission is an independent entity and not a program, department, or other division of, or administratively attached to, the Texas Commission on Environmental Quality.

(b) Money for the commission may not be appropriated as part

1 of an appropriation for the Texas Commission on Environmental
2 Quality.

3 Sec. 403.008. BIENNIAL REPORTS TO LEGISLATURE. On or
4 before December 1 of each even-numbered year, the commission shall
5 file with the governor and the appropriate legislative committees a
6 written report that includes:

7 (1) a statement of the activities of the commission
8 during the preceding fiscal biennium;

9 (2) the commission's recommendations for necessary and
10 desirable legislation; and

11 (3) an accounting of all funds received and disbursed
12 by the commission during the preceding biennium.

13 Sec. 403.009. ATTORNEY GENERAL TO REPRESENT COMMISSION.
14 The attorney general shall represent the commission under this
15 chapter in all matters before the state courts and any court of the
16 United States.

17 Sec. 403.010. APPLICABILITY OF SUNSET ACT. (a) The
18 commission is subject to review under Chapter 325, Government Code
19 (Texas Sunset Act), as if it were a state agency subject to review
20 under that chapter, but may not be abolished under that chapter.

21 (b) The commission shall be reviewed during the period in
22 which state agencies scheduled to be reviewed or abolished in 2013
23 and every 12th year after that year are reviewed.

24 (c) The commission shall pay the cost incurred by the Sunset
25 Advisory Commission in performing a review of the commission under
26 this section. The Sunset Advisory Commission shall determine the
27 cost, and the commission shall pay the amount promptly on receipt of

1 a statement from the Sunset Advisory Commission detailing the cost.

2 SECTION 4. 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.