

BILL ANALYSIS

H.B. 1932
By: Stickland
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, if a faulty on-site sewage disposal system overflows in the unincorporated area of a county, the county has no authority to bring the system into compliance if the property owner fails to address the problem as ordered by a court. Interested parties contend that a county needs the authority to regulate a faulty on-site sewage disposal system as a public nuisance. H.B. 1932 seeks to respond to this need by amending current law defining a public nuisance.

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

H.B. 1932 amends the Health and Safety Code to include as a public nuisance in the unincorporated area of a county the surface discharge from an on-site sewage disposal system. The bill authorizes a county after a defendant fails to abate such a nuisance as ordered by a court to use any means of abatement reasonably necessary to bring the system into compliance with statutory provisions governing such systems.

EFFECTIVE DATE

September 1, 2013.