

BILL ANALYSIS

S.B. 819
By: Duncan
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to interested parties, rural Texas communities are facing challenges as they deal with a growing number of abandoned buildings, which not only become unsightly community eyesores but also become havens for undesirable or even illegal activities and present numerous health and safety concerns. The parties note that, while many of these cities and counties would like to take action and demolish these structures, such demolition is costly and results in debris that is regulated as municipal solid waste, the disposal of which is allowed only in certain landfills. In many of these communities, the parties note, the cost of transporting waste to an approved landfill prohibits disposal and so deters the demolition of abandoned and nuisance buildings.

Recent legislation granted the Texas Commission on Environmental Quality the authority to issue a permit to authorize a city or county with a population of 10,000 or less to dispose of demolition waste from certain abandoned and nuisance buildings. The goal of S.B. 819 is to extend eligibility for such a permit to additional cities and counties faced with the costly burden of disposing of building demolition waste.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

S.B. 819 amends the Health and Safety Code to raise the cap from 10,000 to 12,000 on the population of a county or municipality for which the Texas Commission on Environmental Quality (TCEQ) may issue a permit by rule authorizing the county's or municipality's governing body to dispose of waste from the demolition of an abandoned or nuisance building that has been acquired by the county or municipality if the disposal occurs on land that the county or municipality owns or controls and would qualify for an arid exemption under TCEQ rules.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.