

By: Lucio III

H.B. No. 1226

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the designation of a local governmental entity as an  
3 authorized agent of the Texas Commission on Environmental Quality  
4 to regulate the use of on-site sewage disposal systems.

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

6 SECTION 1. Section 366.035, Health and Safety Code, is  
7 amended to read as follows:

8 Sec. 366.035. MANDATORY APPLICATION FOR AND MAINTENANCE OF  
9 DESIGNATION. A local governmental entity that applies to the Texas  
10 Water Development Board for financial assistance under a program  
11 for economically distressed areas must take all actions necessary  
12 to receive and maintain a designation as an authorized agent of the  
13 commission if:

14 (1) the financial assistance is for a project related  
15 to on-site sewage disposal systems; and

16 (2) the local governmental entity is not located in  
17 the jurisdiction of an authorized agent.

18 SECTION 2. Section 366.036(a), Health and Safety Code, is  
19 amended to read as follows:

20 (a) If the commission designates a local governmental  
21 entity as its authorized agent and if the entity intends to apply to  
22 the Texas Water Development Board for financial assistance under a  
23 program for economically distressed areas and the financial  
24 assistance is for a project related to on-site sewage disposal

1 systems, the commissioners court of the county in which the entity  
2 is located shall prepare a map of the county area outside the limits  
3 of municipalities. The entity shall give to the commissioners  
4 court a written notice of the entity's intention to apply for the  
5 assistance. The map must show the parts of the area in which the  
6 different types of on-site sewage disposal systems may be  
7 appropriately located and the parts in which the different types of  
8 systems may not be appropriately located.

9 SECTION 3. Sections 366.035 and 366.036, Health and Safety  
10 Code, as amended by this Act, apply only to an application for  
11 financial assistance submitted on or after the effective date of  
12 this Act. An application for financial assistance submitted before  
13 the effective date of this Act is governed by the law in effect on  
14 the date the application was submitted, and the former law is  
15 continued in effect for that purpose.

16 SECTION 4. This Act takes effect September 1, 2015.