

## **BILL ANALYSIS**

C.S.H.B. 2376  
By: Walle  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that proceeds from on-site wastewater treatment permit application processing fees are not being used for their intended purpose, which is the awarding of competitive grants relating to on-site wastewater treatment research. C.S.H.B. 2376 seeks to address this issue by restricting the use of those proceeds.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

C.S.H.B. 2376 amends the Health and Safety Code to require the Texas Commission on Environmental Quality (TCEQ), in awarding competitive grants relating to on-site wastewater treatment research, to do so solely for the purpose of supporting applied research and demonstration projects by accredited colleges and universities in Texas, by other governmental entities, or by acceptable public or private research centers regarding on-site wastewater treatment technology and systems applicable to Texas that are directed toward improving the quality of wastewater treatment and reducing the cost of providing wastewater treatment to consumers by removing as an authorized purpose for awarding such grants the enhancement of technology transfer regarding on-site wastewater treatment by using educational courses, seminars, symposia, publications, and other forms of information dissemination. The bill specifies that the research and projects for which a grant may be awarded include such directed toward wastewater reuse. The bill removes the requirement for TCEQ to seek the advice of relevant experts when holding educational conferences associated with activities relating to on-site wastewater treatment research. The bill restricts the use of proceeds from on-site wastewater treatment permit application processing fees to purposes relating to the administration of on-site wastewater treatment research grants and to the awarding of competitive grants.

C.S.H.B. 2376 amends the Water Code to make a conforming change.

### **EFFECTIVE DATE**

September 1, 2017.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2376 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Section 367.008(b), Health and Safety Code, is amended to read as follows:

(b) The commission shall ~~[may]~~ award competitive grants to[:

~~[(1)]~~ support applied research and demonstration projects by accredited colleges and universities in this state, by other governmental entities, or by acceptable public or private research centers regarding on-site wastewater treatment technology and systems applicable to this state that are directed toward improving the quality of wastewater treatment and reducing the cost of providing wastewater treatment to consumers, including wastewater reuse ~~]; and~~

~~[(2) enhance technology transfer regarding on-site wastewater treatment by using educational courses, seminars, symposia, publications, and other forms of information dissemination].~~

SECTION 2. Section 367.010(d), Health and Safety Code, is amended to read as follows:

(d) The fee proceeds may be used only for the purposes of Section 367.008 ~~[shall be deposited to the credit of the water resources management account].~~

SECTION 3. Section 5.701(p), Water Code, is amended.

SECTION 4. The changes in law made by this Act apply only to an application for an on-site wastewater treatment permit received by the Texas Commission on Environmental Quality on or after the effective date of this Act. An application received before the effective date of this Act

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Sections 367.008(b) and (c), Health and Safety Code, are amended to read as follows:

(b) The commission shall ~~[may]~~ award competitive grants to[:

~~[(1)]~~ support applied research and demonstration projects by accredited colleges and universities in this state, by other governmental entities, or by acceptable public or private research centers regarding on-site wastewater treatment technology and systems applicable to this state that are directed toward improving the quality of wastewater treatment and reducing the cost of providing wastewater treatment to consumers, including wastewater reuse ~~]; and~~

~~[(2) enhance technology transfer regarding on-site wastewater treatment by using educational courses, seminars, symposia, publications, and other forms of information dissemination].~~

~~(c) The commission shall seek the advice of relevant experts when choosing research topics and [;] awarding grants[, and holding educational conferences associated with activities] under this chapter.~~

SECTION 2. Section 367.010(d), Health and Safety Code, is amended to read as follows:

(d) The fee proceeds shall be deposited to the credit of the water resources management account and may be used only for the purposes of Sections 367.007 and 367.008.

SECTION 3. Same as introduced version.

SECTION 4. (a) The changes in law made by this Act apply only to an application for an on-site wastewater treatment permit received by the Texas Commission on Environmental Quality or an authorized agent, as defined by Section 366.002, Health and Safety Code, on or after the effective

is governed by the law in effect on the date the application was received, and the former law is continued in effect for that purpose.

date of this Act. An application received before the effective date of this Act is governed by the law in effect on the date the application was received, and the former law is continued in effect for that purpose.

(b) The changes in law made by this Act apply only to an application for a grant under Section 367.008, Health and Safety Code, as amended by this Act, submitted on or after the effective date of this Act. An application for a grant submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2017.

SECTION 5. Same as introduced version.