

BILL ANALYSIS

C.S.H.B. 2958
By: Thompson, Ed
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that regulatory violations by certain solid waste facilities have raised concerns among residents and landowners in close proximity to the facilities. The parties contend that the violations illustrate the need to reevaluate the current oversight and permitting of solid waste facilities. C.S.H.B. 2958 seeks to address this issue by providing for an assessment of the safety and regulation of municipal solid waste facilities in Texas.

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. 2958 requires the Texas Commission on Environmental Quality (TCEQ) to conduct an assessment of the safety and regulation of municipal solid waste facilities in Texas. The bill requires the assessment to consider the permit application and approval process, restrictions regarding the location of municipal solid waste facilities, inspections and enforcement of regulations regarding municipal solid waste facilities, and any other matters TCEQ considers appropriate. The bill requires TCEQ, not later than September 1, 2018, to provide to each standing committee of the legislature with primary jurisdiction over environmental regulation a detailed written report regarding the assessment.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2958 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. In this Act:

(1) "Commission" means the Texas

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

Commission on Environmental Quality.

(2) "Solid waste facility" has the meaning assigned by Section 361.003, Health and Safety Code.

SECTION 2. (a) Until September 1, 2019, the commission may not accept an application for or issue a permit, permit amendment, license, or other authorization for or in connection with a new solid waste facility.

(b) This section applies to the issuance of a permit, permit amendment, license, or other authorization regardless of whether the application for the authorization is pending on the effective date of this Act.

SECTION 3. (a) The commission shall conduct a study assessing the safety and regulation of solid waste facilities in this state. The study must consider:

- (1) the permit application and approval process;
- (2) restrictions regarding the location of solid waste facilities;
- (3) inspections and enforcement of regulations regarding solid waste facilities; and
- (4) any other matters the commission considers appropriate.

(b) Not later than September 1, 2018, the commission shall provide to each standing committee of the legislature with primary jurisdiction over environmental regulation a detailed written report regarding the study conducted under this section.

SECTION 4. This Act takes effect September 1, 2017.

No equivalent provision.

SECTION 2. (a) The commission shall conduct an assessment of the safety and regulation of municipal solid waste facilities in this state. The assessment must consider:

- (1) the permit application and approval process;
- (2) restrictions regarding the location of municipal solid waste facilities;
- (3) inspections and enforcement of regulations regarding municipal solid waste facilities; and
- (4) any other matters the commission considers appropriate.

(b) Not later than September 1, 2018, the commission shall provide to each standing committee of the legislature with primary jurisdiction over environmental regulation a detailed written report regarding the assessment conducted under this section.

SECTION 3. Same as introduced version.