

BILL ANALYSIS

Senate Research Center
86R27375 MP-F

H.B. 2566
By: Dominguez (Lucio)
Health & Human Services
5/13/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Cameron County has experienced health and safety issues in the unincorporated areas of the county, such as the accumulation of water in improperly disposed tires, which become breeding grounds for disease-carrying mosquitoes. H.B. 2566 seeks to address these issues by authorizing the commissioner's courts of certain counties to adopt and enforce certain orders relating to litter and mosquito control.

H.B. 2566 amends current law relating to the authority of certain counties to regulate litter and mosquito control.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 240, Local Government Code, by adding Section 240.910, as follows:

Sec. 240.910. REGULATION OF LITTER AND MOSQUITO CONTROL IN CERTAIN COUNTIES. (a) Provides that this section applies only to a county located on an international border and adjacent to the Gulf of Mexico.

(b) Defines "illegally dumped litter" and "litter" for purposes of this section.

(c) Authorizes the commissioners court of a county, in addition to the authority granted under Section 365.017 (Regulation of Litter in Certain Counties), Health and Safety Code, to adopt and enforce orders to:

(1) control the disposal of litter and the removal of illegally dumped litter from public or private property; and

(2) regulate the storage or abandonment of property, including tires and appliances, on public or private property that creates a nuisance or habitat conducive to mosquito breeding.

(d) Provides that an order adopted under this section:

(1) applies only to the unincorporated area of the county;

(2) is authorized to require the record property owner to pay for the cost of enforcing the order on the property owner's land if the commissioners court gives the property owner 30 days' written notice of the enforcement action; and

(3) is prohibited from regulating manufactured or industrialized housing constructed to state or federal building standards in a manner that is different from regulation of site-built housing.

(e) Provides that this section does not authorize the adoption of:

(1) zoning regulations not otherwise authorized under Chapter 231 (County Zoning Authority); or

(2) building regulations not otherwise authorized under Chapter 233 (Requiring Repair, Removal, or Demolition of Building or Other Structure).

SECTION 2. Effective date: upon passage or September 1, 2019.