

## **BILL ANALYSIS**

S.B. 530  
By: Birdwell  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

While state law authorizes the Texas Commission on Environmental Quality (TCEQ) to adopt rules to implement and enforce federal sanitary standards for drinking water, there have been calls for additional flexibility to allow TCEQ to penalize water suppliers who pay monetary penalties but do not undertake the necessary corrective actions ordered by TCEQ. S.B. 530 seeks to provide this flexibility by increasing the maximum civil and administrative penalty amount.

### **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**

S.B. 530 amends the Health and Safety Code to increase from \$1,000 to \$5,000 the maximum amount of the civil penalty a person is required to be assessed for causing, suffering, allowing, or permitting a violation under statutory provisions relating to sanitary standards of drinking water and the protection of public water supplies and bodies of water. The bill increases from \$1,000 to \$5,000 the maximum amount of the administrative penalty the Texas Commission on Environmental Quality may assess against a person who causes, suffers, allows, or permits a violation of those statutory provisions or a rule or order adopted under those statutory provisions. The civil penalty increase applies to an action brought on or after the bill's effective date, regardless of whether the violation giving rise to that action occurred on, before, or after that date, and the administrative penalty increase applies only to a violation that occurs on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2019.