

## **BILL ANALYSIS**

S.B. 649  
By: Zaffirini  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the amount of material disposed in landfills that could have been recycled, especially considering that the act of recycling incorporates a broad range of activities that have a positive impact on the Texas economy. S.B. 649 seeks to promote recycling by providing for the production of a plan to stimulate the use of recyclable materials as feedstock in processing and manufacturing.

### **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. 649 amends the Health and Safety Code to require the Texas Commission on Environmental Quality (TCEQ), in cooperation with the Texas Economic Development and Tourism Office (TEDTO), to produce a plan to stimulate the use of recyclable materials as feedstock in processing and manufacturing. The bill sets out plan requirements and prohibits the plan from requiring a generator, collector, or processor of recyclable materials to ship to or use a particular processing or manufacturing facility. The bill requires TCEQ, to the extent practicable in preparing the plan, to use methodologies and information derived from other recycling economic studies already performed. The bill requires TCEQ to update the plan every four years and requires the plan, in a year in which the plan is updated, to be included in the annual summary of municipal solid waste management produced by the municipal solid waste permits section of TCEQ and delivered to the governor and legislature. TEDTO and TCEQ are required to implement the bill's provisions relating to the plan only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, TEDTO and TCEQ may, but are not required to, implement those provisions using other appropriations available for that purpose.

S.B. 649 requires TCEQ, in cooperation with other state agencies, including the governor's office, to develop an education program intended for the public that includes certain recycling information. The bill requires TCEQ to update the education program at least every four years.

S.B. 649 authorizes TCEQ to enter into contracts with public, private, and nonprofit organizations to produce the plan and the education program. The bill specifies that for its purposes "recyclable material" includes paper, plastic, metal, glass, vegetative waste, compost, mulch, tires, electronic waste, construction and demolition debris, batteries, and paint. The bill

exempts from its provisions ferrous and nonferrous metals recycled by a metal recycling entity.

S.B. 649 requires TCEQ and TEDTO, not later than September 1, 2020, to prepare and deliver to the governor and the Municipal Solid Waste Management and Resource Recovery Advisory Council a progress report on the initial plan and education program. The bill requires TCEQ and TEDTO to complete and make publicly available the initial plan and implement the education program not later than September 1, 2021.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.