

BILL ANALYSIS

S.B. 1850
By: Rodríguez
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that illegal tire disposal has been a problem in Texas for years and that the improper transport and disposal of tires can lead to environmental hazards that jeopardize the public health and safety. S.B. 1850 seeks to remedy some of these issues by providing for certain financial assurance relating to a scrap tire registration and for a transporter registration insignia.

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 rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTIONS 1 and 2 of this bill.

ANALYSIS

S.B. 1850 amends the Health and Safety Code to require the Texas Commission on Environmental Quality (TCEQ) to require a bond or other financial assurance as a condition of issuing a registration for the transportation, storage, or processing of scrap tires. The bill requires the amount of the bond or other financial assurance to be sufficient to cover the reasonable expenses of an immediate remedial or removal action related to a hazardous substance at a scrap tire site. The bill exempts from the financial assurance requirement a registered used or scrap tire processor using tires for energy recovery at an on-site cement kiln or other energy recovery facility identified by TCEQ rule.

S.B. 1850 requires TCEQ to annually issue a registration insignia to each used or scrap tire transporter and requires a transporter to display the insignia on each vehicle used to transport tires under the registration. The bill sets an insignia to expire annually on a date specified by TCEQ and authorizes TCEQ to adopt rules for issuing duplicate and multiple insignia. The bill requires TCEQ to require a used or scrap tire transporter to submit to TCEQ an annual report on applicable records maintained by the transporter and makes a transporter who fails to submit an annual report ineligible to receive a registration insignia.

EFFECTIVE DATE

September 1, 2019.