86R2692 MP-F

By:  Thompson of Brazoria H.B. No. 286

A BILL TO BE ENTITLED

AN ACT

relating to promotion of the use of recyclable materials as feedstock for manufacturing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 361.0151, Health and Safety Code, is amended by amending Subsection (b) and adding Subsections (c), (d), (e), (f), (g), (h), (i), and (j) to read as follows:

(b)  The commission shall work in conjunction with the Texas Economic Development and Tourism Office [~~Department of Commerce~~] to pursue the development of markets for recycled materials, including composting products.

(c)  In cooperation with the Texas Economic Development and Tourism Office, the commission shall produce a plan to stimulate the use of recyclable materials as feedstock in manufacturing.

(d)  The plan must:

(1)  identify the quantity and type of recyclable materials that are being recycled, including paper, plastic, metal, glass, vegetative waste, compost, mulch, tires, electronic waste, construction and demolition debris, batteries, and paint;

(2)  identify and estimate the quantity and type of recyclable materials that are generated but not being recycled;

(3)  identify and estimate the current economic benefits of recycling materials and the potential economic benefits to be gained by recycling materials identified under Subdivision (2);

(4)  identify the location and processing capacity of existing manufacturers that use recyclable materials as feedstock;

(5)  identify the barriers to increasing the use of recyclable materials as feedstock for manufacturers;

(6)  identify and estimate the need and type of manufacturing facilities necessary to consume the existing and potential volumes of recyclable materials; and

(7)  recommend institutional, financial, administrative, and physical methods, means, and processes that could be applied to increase the use of recyclable materials and to stimulate the use of those materials by manufacturers.

(e)  The plan may not require any generator, collector, or processor of recyclable materials to ship to or use any particular manufacturing facility.

(f)  To the extent practicable in preparing the plan, the commission shall use methodologies, data, and information derived from other recycling economic studies already performed.

(g)  The commission shall update the plan every five years, and in a year in which the plan is updated, the plan shall be included in the annual summary of municipal solid waste management produced by the municipal solid waste permits section of the commission and delivered to the governor and legislature.

(h)  In cooperation with other state agencies, the commission shall develop an education program that must include:

(1)  the economic benefits of recycling, including job creation, economic impact, percent of total solid waste recycled, weight and volume of solid waste recycled, and taxes and fees paid by the recycling industry;

(2)  a spotlight of collectors and processors of recyclable materials and manufacturers that are using recyclable materials as feedstock; and

(3)  the detrimental effects of contamination in the recyclable materials stream and the need to reduce those effects.

(i)  The commission shall update the education program required by Subsection (h) at least every five years.

(j)  The commission may enter into contracts with public, private, and nonprofit organizations to produce the plan required by Subsection (c) and the education program required by Subsection (h).

SECTION 2.  Not later than October 1, 2020, the Texas Commission on Environmental Quality shall complete the initial plan and education program required under Sections 361.0151(c) and (h), Health and Safety Code, as added by this Act.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.