

AN ACT

relating to the disposal of pesticides.

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

SECTION 1. Subchapter A, Chapter 76, Agriculture Code, is amended by adding Section 76.009 to read as follows:

Sec. 76.009. PESTICIDE DISPOSAL FUND. (a) The pesticide disposal fund is a fund in the state treasury outside the general revenue fund. The fund consists of:

(1) money deposited to the credit of the fund under Section 76.044; and

(2) interest earned on the investment of money in the fund.

(b) The department shall administer the fund. Money in the fund may be appropriated only for the purposes of the pesticide waste and pesticide container collection activities performed under Section 76.132.

SECTION 2. Section 76.044, Agriculture Code, is amended by adding Subsection (c) to read as follows:

(c) Of the money received by the department under this section, the department shall annually deposit to the credit of the pesticide disposal fund under Section 76.009 an amount to cover the cost of administering the pesticide waste and pesticide container collection activities performed under Section 76.132, not to exceed \$400,000. The department may not increase the amount of a fee under

1 this section for purposes of this subsection or Section 76.132.

2 SECTION 3. Subchapter F, Chapter 76, Agriculture Code, is  
3 amended by adding Section 76.132 to read as follows:

4 Sec. 76.132. DISPOSAL OF PESTICIDE. The department, in  
5 coordination with the Texas Commission on Environmental Quality and  
6 the Texas A&M AgriLife Extension Service, shall organize pesticide  
7 waste and pesticide container collection activities statewide. The  
8 department, the Texas Commission on Environmental Quality, and the  
9 Texas A&M AgriLife Extension Service may contract for the services  
10 of contractors that are licensed in the disposal of hazardous waste  
11 under Section 401.202, Health and Safety Code, or other contractors  
12 to implement the pesticide waste and pesticide container collection  
13 activities and facilitate the collection of canceled,  
14 unregistered, or otherwise unwanted pesticide products and  
15 pesticide containers.

16 SECTION 4. The Texas Department of Agriculture is required  
17 to implement a provision of this Act only if the legislature  
18 appropriates money specifically for that purpose. If the  
19 legislature does not appropriate money specifically for that  
20 purpose, the department may, but is not required to, implement a  
21 provision of this Act using other appropriations available for that  
22 purpose.

23 SECTION 5. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 191 was passed by the House on April 17, 2019, by the following vote: Yeas 129, Nays 11, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 191 on May 23, 2019, by the following vote: Yeas 125, Nays 16, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 191 was passed by the Senate, with amendments, on May 16, 2019, by the following vote: Yeas 25, Nays 6.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor