

By: Guillen

H.B. No. 2948

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of an advisory panel to study and compile a
3 report on best management practices and funding mechanisms for the
4 prevention, mitigation, and abatement of windblown and waterborne
5 litter in communities.

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

7 SECTION 1. DEFINITION. In this Act, "advisory panel" means
8 the Texas Litter Advisory Panel created under Section 2 of this Act.

9 SECTION 2. TEXAS LITTER ADVISORY PANEL. (a) The Texas
10 Litter Advisory Panel consists of members appointed not later than
11 November 1, 2019, as follows:

12 (1) the executive director or the executive director's
13 designee of the following entities shall appoint a representative
14 for that entity:

15 (A) the Department of Agriculture;

16 (B) the General Land Office;

17 (C) the Parks and Wildlife Department;

18 (D) the Railroad Commission of Texas;

19 (E) the Texas Commission on Environmental
20 Quality;

21 (F) the Texas Department of Transportation; and

22 (G) the Texas Economic Development and Tourism
23 Office within the office of the governor;

24 (2) the lieutenant governor shall appoint three

1 members with each member to represent one of the following:

2 (A) a county;

3 (B) an irrigation district; and

4 (C) a navigation district or a flood control
5 district;

6 (3) the governor shall appoint four members with each
7 member to represent one of the following:

8 (A) the interests of the private solid waste
9 remediation industry;

10 (B) a statewide nonprofit organization focused
11 on litter prevention, mitigation, and abatement;

12 (C) the interests of agricultural land owners;
13 and

14 (D) the interests of cattle raisers; and

15 (4) the speaker of the house of representatives shall
16 appoint three members with each member to represent one of the
17 following:

18 (A) a municipality;

19 (B) a river authority; and

20 (C) a drainage district.

21 (b) The representative of the Texas Commission on
22 Environmental Quality is the presiding officer of the advisory
23 panel.

24 (c) A member of the advisory panel is not entitled to
25 receive compensation for service on the advisory panel but is
26 entitled to reimbursement of the travel expenses incurred by the
27 member while conducting the business of the advisory panel.

1 (d) The advisory panel may accept gifts and grants from any
2 source to be used to carry out a function of the advisory panel.

3 SECTION 3. STUDY. The advisory panel shall conduct a study
4 on existing best management practices and funding mechanisms in
5 this state for the prevention, mitigation, and abatement of
6 windblown and waterborne litter, including helium balloons, in
7 communities by:

8 (1) identifying and evaluating best management
9 practices for municipal, commercial, industrial, and agricultural
10 properties, including the feasibility, costs, and benefits of those
11 practices; and

12 (2) evaluating:

13 (A) the feasibility and implementation needs of
14 best management practices in different regions of the state;

15 (B) the jurisdiction and effectiveness of law
16 enforcement;

17 (C) the role of state funding for incentive
18 programs; and

19 (D) the appropriate state oversight and
20 community support efforts.

21 SECTION 4. RECOMMENDATIONS. At the conclusion of the
22 study, the advisory panel shall make recommendations to the Texas
23 Commission on Environmental Quality and the Texas Department of
24 Transportation on:

25 (1) standardized methods for reporting and using best
26 management practices; and

27 (2) other possible strategies, as appropriate.

1 SECTION 5. ASSISTANCE OF STATE AGENCIES. On request by the
2 advisory panel, a state agency shall provide assistance to the
3 advisory panel, including necessary support staff.

4 SECTION 6. PUBLIC MEETINGS. The advisory panel may hold
5 public meetings as needed to carry out the duties described by this
6 Act.

7 SECTION 7. BEST PRACTICES GUIDE AND REPORT TO LEGISLATURE.
8 Not later than November 1, 2020, the advisory panel shall:

9 (1) publish a best management practices guide for use
10 by state agencies and counties, municipalities, and other political
11 subdivisions responsible for the prevention, mitigation, and
12 abatement of litter, including information on potential funding
13 sources; and

14 (2) make a final report to the lieutenant governor,
15 the speaker of the house of representatives, and the legislative
16 committees with primary jurisdiction over the issues described in
17 the report. The report must include recommendations on additional
18 legislative action, if any, that is needed to implement the
19 recommended best management practices.

20 SECTION 8. EXPIRATION. This Act expires and the advisory
21 panel is abolished on January 1, 2022.

22 SECTION 9. EFFECTIVE DATE. This Act takes effect
23 immediately if it receives a vote of two-thirds of all the members
24 elected to each house, as provided by Section 39, Article III, Texas
25 Constitution. If this Act does not receive the vote necessary for
26 immediate effect, this Act takes effect September 1, 2019.