By: Lozano H.B. No. 3224

A BILL TO BE ENTITLED

AN ACT

relating to a study on the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain recycling transactions.

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

SECTION 1. (a) In this section:

(1) "Commission" means the Texas Commission on Environmental Quality.

(2) "Recyclable material" has the meaning assigned by 42 U.S.C. Section 9627(b).

(b) The commission, in consultation with industry stakeholders, shall:

(1) conduct a study on the potential impacts of creating a defense to liability under Section 361.271(a)(3) or (4), Health and Safety Code, for persons who arrange for recycling of recyclable material who would not be liable for the recyclable material under 42 U.S.C. Section 9607(a)(3) or (4) based on the person meeting the applicable criteria established under 42 U.S.C. Section 9627; and

(2) propose legislative recommendations based on the study.

(c) The commission shall establish a workgroup composed of members determined by the commission and industry stakeholders for the purpose of assisting the commission in proposing legislative

recommendations under Subsection (b)(2) of this section.

(d) Not later than November 1, 2020, the commission shall submit to the legislature a report on the findings of the study and legislative recommendations based on the study.

(e) This Act expires January 1, 2021.

SECTION 2. This Act takes effect September 1, 2019.