

1 AN ACT

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

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

6 SECTION 1. (a) In this section:

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

9 (2) "Recyclable material" has the meaning assigned by
10 42 U.S.C. Section 9627(b).

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

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

20 (2) propose legislative recommendations based on the
21 study.

22 (c) The commission shall establish a workgroup that
23 includes industry stakeholders for the purpose of assisting the
24 commission in proposing legislative recommendations under

1 Subsection (b)(2) of this section.

2 (d) Not later than January 15, 2021, the commission shall
3 submit to the legislature a report on the findings of the study and
4 legislative recommendations based on the study.

5 (e) This Act expires August 31, 2021.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 3224 was passed by the House on April 30, 2019, by the following vote: Yeas 143, Nays 3, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3224 on May 24, 2019, by the following vote: Yeas 138, Nays 3, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3224 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor