

By: Landgraf

H.B. No. 236

A BILL TO BE ENTITLED

AN ACT

relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas.

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

SECTION 1. Subchapter C, Chapter 401, Health and Safety Code, is amended by adding Section 401.072 to read as follows:

Sec. 401.072. TRANSPORTATION, STORAGE, AND DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTE IN CRITICAL INFRASTRUCTURE ZONE. (a)

In this section:

(1) "Critical energy infrastructure zone" means an area designated by the commission under this section.

(2) "High-level radioactive waste" has the meaning assigned by 42 U.S.C. Section 10101(12) and includes spent nuclear fuel as defined by 42 U.S.C. Section 10101(23).

(b) A person may not import into, dispose of, or store high-level radioactive waste in an area of this state designated as a critical energy infrastructure zone.

(c) The commission shall establish criteria and procedures for designating areas where oil and gas activities or other energy-related activities occur as critical energy infrastructure zones. In establishing the criteria and procedures, the commission shall consider establishing critical energy infrastructure zones in counties with more than:

(1) 100 megawatts of installed solar energy generation

1 capacity;

2 (2) 100 megawatts of installed wind generation

3 capacity;

4 (3) 10,000,000 barrels of oil produced annually; or

5 (4) 2,000,000 MCF of natural gas produced annually.

6 (d) The designation of an area as a critical energy
7 infrastructure zone remains in effect until the commission revokes
8 the designation under procedures adopted by the commission.

9 (e) The commission may amend the boundaries of a critical
10 energy infrastructure zone.

11 (f) The commission shall adopt rules necessary to implement
12 this section.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect on the 91st day after the last day of the
18 legislative session.