

BILL ANALYSIS

Senate Research Center
87R17966 SRA-D

H.B. 3957
By: Herrero (Hinojosa)
Transportation
5/18/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Burn Pits 360 Veterans Organization has worked for years to help ensure service members and veterans exposed to toxins from open air burn pits find the medical care and resources they need. The organization was integral in helping to pass legislation during the 86th Legislative Session that authorized the creation of the Texas Open Burn Pit Registry to serve as a critical tool in helping service members, veterans, and medical providers determine the long-term effects of exposure to airborne hazards. In an effort to ensure the registry's benefits are fully realized and to honor this great organization, H.B. 3957 creates a Burn Pits 360 Veterans Organization specialty license plate with proceeds from sales directed towards the creation and maintenance of the Texas Open Burn Pit Registry.

H.B. 3957 amends the Transportation Code to create the Burn Pits 360 Veterans Organization specialty license plate. Fees collected from issuance of a license plate would be directed to the open burn pit registry fund. The bill also amends Section 99.008 of the Health and Safety Code to create the open burn pit registry fund to create and maintain the Texas Open Burn Pit Registry.

H.B. 3957 amends current law relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 99, Health and Safety Code, as added by Chapter 153 (H.B. 306), Acts of the 86th Legislature, Regular Session, 2019, by adding Section 99.008, as follows:

Sec. 99.008. OPEN BURN PIT REGISTRY FUND. (a) Provides that the open burn pit registry fund (fund) is a special fund in the state treasury outside the general revenue fund. Provides that the fund is composed of:

- (1) money transferred to the fund at the direction of the legislature;
- (2) gifts and grants contributed to the fund;
- (3) the earnings of the fund; and
- (4) money deposited to the credit of the fund under Section 504.675, Transportation Code.

(b) Authorizes that money in the fund be appropriated only to the Department of State Health Services (DSHS). Authorizes DPS to use the money only for the creation and maintenance of the open burn pit registry established under Section 99.003 (Open Burn Pit Registry), except that DSHS is authorized to use the money for any other purpose of DSHS consistent with legislative appropriation of the money if DSHS finds that the registry is adequately funded and contributions to the fund exceed the amount necessary for the registry to be adequately funded.

SECTION 2. Amends Subchapter G, Chapter 504, Transportation Code, by adding Section 504.675, as follows:

Sec. 504.675. VETERANS EXPOSED TO OPEN BURN PITS. (a) Requires the Texas Department of Motor Vehicles (TxDMV) to issue specialty license plates to honor members of the United States armed forces who were exposed to open burn pits during their military service. Requires that the license plates to include:

- (1) the words "Burn Pits 360 Veterans Organization"; and
- (2) a depiction of the Burn Pits 360 nonprofit organization logo.

(b) Requires that the remainder of the fee for issuance of the license plates, after deduction of TxDMV's administrative costs, be deposited to the credit of the fund established under Section 99.008, Health and Safety Code.

(c) Provides that Section 504.702 (Specialty License Plates Authorized After January 1, 1999) does not apply to a specialty license plate issued under this section.

SECTION 3. Effective date: September 1, 2021.