

## **BILL ANALYSIS**

C.S.H.B. 3957  
By: Herrero  
Defense & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Burn Pits 360 Veterans Organization has worked for many years to help service members and veterans exposed to open burn pit smoke or other airborne hazards gain access to medical care and resources. The organization was an integral part of the recent passage of legislation that provided for the creation of an open burn pit registry to facilitate outreach and education related to health concerns resulting from exposure to such hazards by service members and veterans during their service. C.S.H.B. 3957 seeks to further these initiatives by establishing the open burn pit registry fund to be composed, in part, of revenue from the issuance of specialty license plates to honor U.S. armed forces members who were exposed to open burn pits during their military service.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3957 amends the Health and Safety Code to establish the open burn pit registry fund as a special fund in the state treasury outside the general revenue fund and to provide for the composition of the fund. Money in the fund may be appropriated only to the Department of State Health Services (DSHS) and used only for the creation and maintenance of the open burn pit registry, except that DSHS may use the money for any other DSHS purpose 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.

C.S.H.B. 3957 amends the Transportation Code to require the Texas Department of Motor Vehicles (TxDMV) to issue specialty license plates to honor members of the U.S. armed forces who were exposed to open burn pits during their military service. The license plates must include the words "Burn Pits 360 Veterans Organization" and a depiction of the Burn Pits 360 nonprofit organization logo. After deduction of the TxDMV administrative costs, the remainder of the fee for issuance of the license plates must be deposited to the credit of the open burn pit registry fund. The bill exempts these license plates from statutory provisions that condition the manufacture of a specialty license plate authorized after January 1, 1999, on a party filing a request with TxDMV, accompanied by a deposit of \$8,000, before the fifth anniversary of the effective date of the law authoring issuance.

**EFFECTIVE DATE**

September 1, 2021.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3957 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original provided for the issuance of specialty license plates for active and former members of the U.S. armed forces who were exposed to open burn pits, whereas the substitute provides for the issuance of specialty license plates to honor members of the U.S. armed forces who were so exposed. Accordingly, the substitute adds its specialty license provisions to a subchapter relating to specialty license plates for general distribution instead of a subchapter relating to specialty license plates for the military. Each of those subchapters has different provisions about license plate fees.

With respect to the requirement that specialty license plate fees be deposited to the credit of the open burn pit registry fund after deduction of administrative costs, the substitute omits a requirement from the original for TxDMV to send the fees to the comptroller of public accounts not later than the 14th day of each month.