87R1779 JRR-D

By:  Miles S.B. No. 366

A BILL TO BE ENTITLED

AN ACT

relating to the minimum amount of an administrative penalty assessed by the Texas Commission on Environmental Quality for a violation of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the commission.

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

SECTION 1.  Subchapter C, Chapter 7, Water Code, is amended by adding Section 7.0521 to read as follows:

Sec. 7.0521.  MINIMUM PENALTY. (a) Except as provided by Subsection (b), the amount of an administrative penalty assessed under this subchapter may not be less than $250 a day for each violation.

(b)  This section does not apply to an administrative penalty assessed against a facility operator who violates Chapter 506 or 507, Health and Safety Code, or a rule adopted or order issued under those chapters.

SECTION 2.  The change in law made by this Act applies only to the assessment of an administrative penalty for a violation that occurs on or after the effective date of this Act. The assessment of an administrative penalty for a violation that occurred before the effective date of this Act is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2021.