

By: Miles

S.B. No. 366

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

13 (b) This section does not apply to an administrative penalty  
14 assessed against a facility operator who violates Chapter 506 or  
15 507, Health and Safety Code, or a rule adopted or order issued under  
16 those chapters.

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

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