

By: Jones of Dallas

H.B. No. 3282

A BILL TO BE ENTITLED

AN ACT

relating to county authority to mitigate illegal tire disposal.

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

SECTION 1. Chapter 361.112(g), Health and Safety Code, is amended by adding the following Subsections:

(g-1) The commission shall require that the manifest in 361.112(g) be completed and submitted to TCEQ within one month of the manifest's date of initial signature. Notification and approval of any lapse to this time shall be reported to TCEQ within 40 days of initial signature.

(g-2) The commission shall require generators, transporters, and disposal / storage facilities of scrap tires in 361.112(g) to electronically sign and submit the tire manifest to TCEQ upon initial transfer for each transition of possession of a scrap tire load.

(g-3) The commission shall hold liable the transporter and generator in 361.112(g) for each scrap tire improperly disposed of that was not disposed at an authorized disposal / storage facility. The commissioner's court may impose a fine on the transporter and generator not to exceed \$500 per tire.

(g-4) The commission shall phase in the requirement of a standardized tire tagging methodology, incorporated into the tire manifest, that can uniquely identify all tires from a specific transporter.

1 SECTION 2. Section 361.112, Health and Safety Code, is  
2 amended by adding the following Subsections:

3 (n) The generator will be held liable for the use of  
4 unregistered tire haulers. The commissioners court may impose a  
5 fine on the generator not to exceed \$500 per tire or enact the  
6 suspension or revocation of the generator's license to sell tires.

7 (o) The Commissioners Court of a county may impose a fee of  
8 not more than \$5 for the disposal of an individual tire.

9 (p) All fines and fees collected by a county Commissioners  
10 Court under Section 361.112 shall be deposited into an account  
11 dedicated to the disposition, mitigation, and recycling of tires.

12 (p-1) Fines and fees collected by a county Commissioners  
13 Court under Section 361.112 may be used to establish a tire  
14 recycling facility in that county.

15 SECTION 3. This Act takes effect September 1, 2023.