

BILL ANALYSIS

C.S.H.B. 464
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Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that since the end of the waste tire recycling fund program in 1997, the illegal dumping of scrap tires has continued to be a problem in many parts of Texas and that the dumping of scrap tires causes considerable harm ranging from health complications to economic loss to environmental concerns for individuals and communities. The bill author has further informed the committee that illegally dumped tires can create health hazards by providing a breeding ground for mosquitoes, can create a serious problem that is difficult to extinguish and clean up if they are set on fire, and can wreak havoc on irrigation and flood control systems if they are dumped in canals or drainage ditches. The bill author has also informed the committee that many counties struggle to find ways to address this problem due to issues such as a lack of funding or resource shortages and that there isn't a centralized way for counties to receive aid to help address this problem. C.S.H.B. 464 seeks to address this issue by requiring the Texas Commission on Environmental Quality to establish a scrap tire remediation grant program.

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 rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 464 amends the Health and Safety Code to require the Texas Commission on Environmental Quality (TCEQ), as soon as practicable but not later than January 1, 2027, to establish a scrap tire remediation grant program to award grants from the scrap tire remediation grant account established by the bill to counties for the purpose of reducing the number of scrap tires disposed of in inland or coastal water and onto rights-of-way and other land. The bill defines "scrap tire" by reference as a tire that can no longer be used for its original intended purpose.

C.S.H.B. 464 authorizes the TCEQ to award a grant under the program to a county to be used for the following:

- identifying and prosecuting violators of provisions providing offenses for illegal dumping and discarding lighted materials, as those provisions relate to the illegal disposal of scrap tires;
- providing information to the public to discourage the illegal disposal of scrap tires; and
- removing and properly disposing of illegally disposed of scrap tires.

C.S.H.B. 464 establishes the scrap tire remediation grant account as a dedicated account in the general revenue fund composed of the following:

- appropriations of money to the account by the legislature;
- gifts, grants, including federal grants, and other donations received for the account; and
- interest earned on the investment of money in the account.

The bill restricts the use of money in the account by the TCEQ to the awarding of program grants and the program's administration.

C.S.H.B. 464 requires the TCEQ, not later than September 1 of each year, to prepare and submit a written report to the legislature with recommendations to address the illegal disposal of scrap tires. The bill requires the TCEQ to adopt rules for the program's administration.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 464 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced authorized the TCEQ to develop a scrap tire remediation grant program, the substitute requires the TCEQ to establish such a program as soon as practicable but not later than January 1, 2027.

With respect to the program's purpose of reducing the number of scrap tires disposed of, in part, onto rights-of-way and other land, the introduced specified such rights-of-way and land as public rights-of-way and public land, whereas the substitute omits such specifications.

The substitute includes a requirement that was not in the introduced for the TCEQ, not later than September 1 of each year, to prepare and submit a written report to the legislature with recommendations to address the illegal disposal of scrap tires.