

BILL ANALYSIS

Senate Research Center
89R5456 KRM-D

S.B. 766
By: Zaffirini
Natural Resources
2/28/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2912 (2001) changed the name of the Texas Natural Resource Conservation Commission (TNRCC) to the Texas Commission on Environmental Quality (TCEQ) via the Sunset Commission process, with the name change taking effect on January 1, 2004.

There are, however, still more than 100 references to the old name, Texas Natural Resource Conservation Commission, in existing code. S.B. 766 simply would cure these defects by changing all references to TNRCC to the current name, Texas Commission on Environmental Quality.

As proposed, S.B. 766 amends current law relating to the correction of references to the Texas Natural Resource Conservation Commission.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Natural Resource Conservation Commission is transferred to the Texas Commission on Environmental Quality in SECTION 18 (Section 365.013, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 76.001, Agriculture Code, by adding Subdivision (4-a), to define "commission."

SECTION 2. Amends Sections 76.003(b), (c), and (d), Agriculture Code, as follows:

(b) Prohibits the Texas Department of Agriculture from placing a pesticide on the state-limited-use list solely on the basis of actual damage or risk of damage to water quality without first obtaining approval from the Texas Commission on Environmental Quality (TCEQ), rather than the Texas Natural Resource Conservation Commission (TNRCC), based on the impact of the pesticide's use on water quality.

(c)-(d) Makes conforming changes to these subsections.

SECTION 3. Amends Section 76.004(b), Agriculture Code, to make a conforming change.

SECTION 4. Amends Sections 76.007(b), (c), (d), and (e), Agriculture Code, to make conforming changes.

SECTION 5. Amends Section 76.131(a), Agriculture Code, to make confirming and nonsubstantive changes.

SECTION 6. Amends Section 76.132, Agriculture Code, to make conforming changes.

SECTION 7. Amends Section 134.001(8), Agriculture Code, to redefine "new aquaculture facility."

SECTION 8. Amends Section 201.006(f), Agriculture Code, to make a conforming change.

SECTION 9. Amends Section 201.027, Agriculture Code, to make conforming changes.

SECTION 10. Amends Section 418.122(a), Government Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 11. Amends Section 660.203(a), Government Code, to make a conforming change.

SECTION 12. Amends Section 1501.251, Government Code, to make a conforming change.

SECTION 13. Amends Section 2166.404(a), Government Code, to make a conforming change.

SECTION 14. Amends Section 362.004(a), Health and Safety Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 15. Amends Sections 363.004(2) and (3), Health and Safety Code, to make conforming changes.

SECTION 16. Amends Section 364.011(c), Health and Safety Code, to make a conforming change.

SECTION 17. Amends Section 365.011(1), Health and Safety Code, to make a conforming change.

SECTION 18. Amends Section 365.013(a), Health and Safety Code, to make a conforming change.

SECTION 19. Amends Section 366.002(2), Health and Safety Code, to make a conforming change.

SECTION 20. Amends Section 369.001(1), Health and Safety Code, to make a conforming change.

SECTION 21. Amends Sections 370.002(2) and (4), Health and Safety Code, to make conforming changes.

SECTION 22. Amends Section 371.003(3), Health and Safety Code, to make a conforming change.

SECTION 23. Amends Section 383.003(5), Health and Safety Code, to make a conforming change.

SECTION 24. Amends Section 384.001(1), Health and Safety Code, to make a conforming change.

SECTION 25. Amends Section 384.012, Health and Safety Code, to make a conforming change.

SECTION 26. Amends Section 388.002(5), Health and Safety Code, to make a conforming change.

SECTION 27. Amends Section 389.001, Health and Safety Code, to make a conforming change.

SECTION 28. Amends Section 401.415(d), Health and Safety Code, to make a conforming change.

SECTION 29. Amends Section 753.008(a), Health and Safety Code, to make conforming and nonsubstantive changes.

SECTION 30. Amends Section 42.024(b), Local Government Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 31. Amends Sections 42.024(c)(1), (3), and (4), Local Government Code, to make conforming changes.

SECTION 32. Amends Section 43.0712(b), Local Government Code, to make a conforming change.

SECTION 33. Amends Section 304.001(f), Local Government Code, to make a conforming change.

SECTION 34. Amends Section 395.080, Local Government Code, to make conforming changes.

SECTION 35. Amends Section 552.044(8), Local Government Code, to make a conforming change.

SECTION 36. Amends Section 562.012(f), Local Government Code, to make a conforming change.

SECTION 37. Amends Section 580.001, Local Government Code, to make a conforming change.

SECTION 38. Amends Sections 33.203(7) and (19), Natural Resources Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 39. Amends Section 33.2051(b), Natural Resources Code, to make a conforming change.

SECTION 40. Amends Section 33.2053(f), Natural Resources Code, to make a conforming change.

SECTION 41. Amends Section 111.0192(a), Natural Resources Code, to make a conforming change.

SECTION 42. Amends Section 111.305, Natural Resources Code, to make conforming changes.

SECTION 43. Amends Section 131.139(a), Natural Resources Code, to make a conforming change.

SECTION 44. Amends Section 131.141, Natural Resources Code, to make a conforming change.

SECTION 45. Amends Section 141.012(a), Natural Resources Code, to make a conforming change.

SECTION 46. Amends Section 141.074, Natural Resources Code, to make a conforming change.

SECTION 47. Amends Section 1301.057(a), Occupations Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 48. Amends Section 1904.001(1), Occupations Code, to make a conforming change.

SECTION 49. Amends Sections 2304.001(1) and (2), Occupations Code, to make conforming changes.

SECTION 50. Amends Section 28.03(d), Penal Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 51. Amends Sections 11.082(b) and (c), Parks and Wildlife Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 52. Amends Section 11.083(a), Parks and Wildlife Code, to make a conforming change.

SECTION 53. Amends Sections 14.002(a) and (b), Parks and Wildlife Code, to make conforming changes.

SECTION 54. Amends Section 3875.002(2), Special District Local Laws Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 55. Amends Section 34.06(f), Tax Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 56. Amends Section 201.604(d), Transportation Code, to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

SECTION 57. Amends Section 201.612(d), Transportation Code, to make a conforming change.

SECTION 58. Amends Sections 548.001(3) and (4), Transportation Code, to redefine "department," define "environmental commission," and delete existing text defining "conservation commission."

SECTION 59. Amends Sections 548.006(a), (c), and (h), Transportation Code, to make conforming changes.

SECTION 60. Amends Section 548.301(b), Transportation Code, to make conforming changes.

SECTION 61. Amends Section 548.302, Transportation Code, to make a conforming change.

SECTION 62. Amends Section 548.3065(c-1), Transportation Code, to make conforming changes.

SECTION 63. Amends Sections 548.4045(a) and (b), Transportation Code, to make conforming changes.

SECTION 64. Amends Section 548.5055(c), Transportation Code, to make a conforming change.

SECTION 65. Amends the heading to Subchapter B, Chapter 5, Water Code, to read as follows:

SUBCHAPTER B. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SECTION 66. Amends the heading to Subchapter C, Chapter 5, Water Code, to read as follows:

SUBCHAPTER C. ORGANIZATION OF COMMISSION

SECTION 67. Amends Section 5.051, Water Code, as follows:

Sec. 5051. COMMISSION. (a) Creates this subsection from existing text and makes a conforming change to reflect the change of the name of the state's environmental agency from TNRCC to TCEQ.

(b) Provides that, effective January 1, 2004, a reference in law to TNRCC is a reference to TCEQ.

SECTION 68. Amends the heading to Subchapter D, Chapter 5, Water Code, read as follows:

SUBCHAPTER D. GENERAL POWERS AND DUTIES OF COMMISSION

SECTION 69. Amends Section 5.179, Water Code, to make a conforming change.

SECTION 70. Amends Section 6.001(3), Water Code, to make a conforming change.

SECTION 71. Amends Section 7.001(1), Water Code, to make a conforming change.

SECTION 72. Amends Sections 11.039(a) and (b), Water Code, to make conforming changes.

SECTION 73. Amends Sections 15.001(2) and (4), Water Code, to make conforming changes.

SECTION 74. Amends Section 15.851(1), Water Code, to make a conforming change.

SECTION 75. Amends Section 15.853(a), Water Code, to make a conforming change.

SECTION 76. Amends Sections 16.001(2) and (4), Water Code, to make conforming changes.

SECTION 77. Amends Sections 17.001(2) and (4), Water Code, to make conforming changes.

SECTION 78. Amends Sections 26.001(2) and (4), Water Code, to make conforming changes.

SECTION 79. Amends Section 26.0345(a), Water Code, to make a conforming change.

SECTION 80. Amends Section 26.179(b), Water Code, to make a conforming change.

SECTION 81. Amends Sections 28.001(1) and (2), Water Code, to make conforming changes.

SECTION 82. Amends Section 30.004(a), Water Code, to make a conforming change.

SECTION 83. Amends Section 30.106, Water Code, to make conforming changes.

SECTION 84. Amends Sections 31.001(1) and (2), Water Code, to make conforming changes.

SECTION 85. Amends Section 35.002(2), Water Code, to make to make a conforming change.

SECTION 86. Amends Section 36.001(2), Water Code, to make a conforming change.

SECTION 87. Amends Section 37.001(1), Water Code, to make a conforming change.

SECTION 88. Amends Section 41.0082, Water Code, to make conforming changes.

SECTION 89. Amends Section 42.009, Water Code, to make conforming changes.

SECTION 90. Amends Section 43.0052, Water Code, to make conforming changes.

SECTION 91. Amends Section 44.009, Water Code, to make conforming changes.

SECTION 92. Amends Section 46.008(a), Water Code, to make conforming changes.

SECTION 93. Amends Section 46.010, Water Code, to make conforming changes.

SECTION 94. Amends Section 49.001(a)(2), Water Code, to make a conforming change.

SECTION 95. Amends Sections 51.001(5) and (6), Water Code, to make conforming changes.

SECTION 96. Amends Sections 54.001(4) and (5), Water Code, to make conforming changes.

SECTION 97. Amends Sections 55.001(3) and (4), Water Code, to make conforming changes.

SECTION 98. Amends Section 56.022(b), Water Code, to make conforming changes.

SECTION 99. Amends Section 56.242(c), Water Code, to make a conforming change.

SECTION 100. Amends Section 56.311(d), Water Code, to make a conforming change.

SECTION 101. Amends Sections 57.001(5) and (6), Water Code, to make conforming changes.

SECTION 102. Amends Section 58.001(5), Water Code, to make a conforming change.

SECTION 103. Amends Section 60.249(c), Water Code, to make a conforming change.

SECTION 104. Amends Sections 65.001(4) and (5), Water Code, to make conforming changes.

SECTION 105. Amends Sections 66.001(2) and (3), Water Code, to make conforming changes.

SECTION 106. Repealer: Section 57.001(3) (relating to defining "water commission"), Water Code.

SECTION 107. Effective date: September 1, 2025.