

## **BILL ANALYSIS**

Senate Research Center  
89R1999 MP-D

S.B. 2386  
By: Miles  
Water, Agriculture and Rural Affairs  
4/15/2025  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, the Texas Commission on Environmental Quality (TCEQ) is not explicitly required to notify state representatives and senators when taking administrative actions related to environmental violations in their districts. This creates an information gap where elected officials may be unaware of environmental enforcement activities affecting their constituents.

S.B. 2386 would amend the Water Code to require TCEQ to notify the state representative and senator representing the area where an environmental violation occurred when the commission issues a penalty or approves an administrative order or settlement agreement. This additional notification requirement ensures that local elected officials are promptly informed about environmental enforcement actions in their districts, allowing them to better serve and advocate for their constituents.

As proposed, S.B. 2386 amends current law relating to the provision by the Texas Commission on Environmental Quality to the pertinent state representative and state senator of notice of certain administrative actions of the commission.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 7.060, Water Code, as follows:

Sec. 7.060. NOTICE OF PENALTY. Requires the Texas Commission on Environmental Quality (TCEQ), if TCEQ is required to give notice of a penalty under Section 7.057 (Default) or 7.059 (Notice of Decision), to publish notice of its decision in the Texas Register not later than the 10th day after the date on which the decision is adopted and notify the state representative and state senator who represent the area where the violation for which the penalty is being assessed occurred. Makes nonsubstantive changes.

SECTION 2. Amends Section 7.075(a), Water Code, as follows:

(a) Requires TCEQ, before TCEQ approves an administrative order or proposed agreement to settle an administrative enforcement action initiated under Subchapter C (Administrative Penalties) to which TCEQ is a party, to allow the public to comment in writing on the proposed order or agreement, publish notice of the opportunity to comment on the proposed order or agreement in the Texas Register not later than the 30th day before the date on which the public comment period closes, and notify the state representative and state senator who represent the area in which the violation that is the subject of the proposed order or agreement occurred. Makes nonsubstantive changes.

SECTION 3. Effective date: September 1, 2025.