

By: Gerdes

H.B. No. 4086

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of composting facilities by certain counties.

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

SECTION 1. Subchapter B, Chapter 364, Health and Safety Code, is amended by adding Section 364.020 to read as follows:

Sec. 364.020. COUNTY REGULATION OF COMPOSTING FACILITY LOCATION. (a) This section applies only to a county that does not contain a municipality that requires a restaurant to divert food waste from disposal in a landfill.

(b) In this section, "composting facility" means a facility that composts only source-separated yard trimmings, clean wood material, vegetative material, paper, manure, meat, fish, dead animal carcasses, dairy materials, and meat and vegetable oils and greases from a municipal, commercial, or institutional source.

(c) A county may prohibit the operation of a composting facility within 3,281 feet of a stream, drain, recharge feature, recharge area, or tributary that may constitute or recharge the source of water supply of any municipality.

SECTION 2. This Act takes effect September 1, 2025.