

By: Alvarado

S.B. No. 723

A BILL TO BE ENTITLED

AN ACT

relating to the release of a tier two form listing hazardous chemicals that is in the possession of a political subdivision of this state.

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

SECTION 1. Section 505.006, Health and Safety Code, is amended by amending Subsection (h) and adding Subsection (i) to read as follows:

(h) Except as provided by Subsection (i) and Section 505.015, documents filed under this chapter are subject to Chapter 552, Government Code.

(i) Except as otherwise provided by this subsection, a tier two form that is in the possession of a political subdivision of this state is confidential and not subject to disclosure under Chapter 552, Government Code. A political subdivision may release a tier two form or information contained in the form to the public only if:

(1) the tier two form or applicable information has been made publicly available by the commission; or

(2) the information released only states the name of a class of dangerous goods under the hazard classification system used in the 2024 Emergency Response Guidebook published by the United States Department of Transportation.

SECTION 2. Section 506.006, Health and Safety Code, is

amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g) Except as provided by Subsection (h), documents ~~[Documents]~~ filed under this chapter are subject to Chapter 552, Government Code.

(h) Except as otherwise provided by this subsection, a tier two form that is in the possession of a political subdivision of this state is confidential and not subject to disclosure under Chapter 552, Government Code. A political subdivision may release a tier two form or information contained in the form to the public only if:

(1) the tier two form or applicable information has been made publicly available by the commission; or

(2) the information released only states the name of a class of dangerous goods under the hazard classification system used in the 2024 Emergency Response Guidebook published by the United States Department of Transportation.

SECTION 3. Section 507.006, Health and Safety Code, is amended by amending Subsection (h) and adding Subsection (i) to read as follows:

(h) Except as provided by Subsection (i) and Section 507.012, documents filed under this chapter are subject to Chapter 552, Government Code.

(i) Except as otherwise provided by this subsection, a tier two form that is in the possession of a political subdivision of this state is confidential and not subject to disclosure under Chapter 552, Government Code. A political subdivision may release a

1 tier two form or information contained in the form to the public  
2 only if:

3 (1) the tier two form or applicable information has  
4 been made publicly available by the commission; or

5 (2) the information released only states the name of a  
6 class of dangerous goods under the hazard classification system  
7 used in the 2024 Emergency Response Guidebook published by the  
8 United States Department of Transportation.

9 SECTION 4. This Act takes effect September 1, 2025.