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S.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

relating to the recycling and disposal of consumer energy storage
modules.

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

SECTION 1. Chapter 361, Health and Safety Code, is amended
by adding Subchapter P to read as follows:

SUBCHAPTER P. CONSUMER ENERGY STORAGE MODULES

Sec. 361.471. DEFINITIONS. In this subchapter:

(1) "Consumer energy storage module" means a battery
or other electrochemical device that stores chemical energy and
transforms it into electrical energy to power a consumer product or
electronic device.

(2) "Steward organization" means a group consisting of
consumer energy storage module manufacturers, product
manufacturers, or other members organized to promote the recycling
of consumer energy storage modules.

Sec. 361.472. APPLICABILITY. This subchapter does not
apply to:

(1) a lead-acid battery governed by Subchapter O;

(2) an alkaline battery; or

(3) a battery that the commission by rule determines
is safe for disposal.

Sec. 361.473. PLACEMENT IN CERTAIN SOLID WASTE DISPOSAL OR
RECYCLING STREAMS PROHIBITED. (a) Except as provided by

1 Subsection (b), a person may not place a consumer energy storage
2 module in:

3 (1) a mixed municipal solid waste facility or curbside
4 collection receptacle;

5 (2) a mixed metal recycling collection facility or
6 curbside collection receptacle; or

7 (3) a municipal mixed recyclable material collection
8 facility or curbside collection receptacle.

9 (b) This section does not apply to the placement of a
10 consumer energy storage module in a facility or receptacle
11 described by Subsection (a) in accordance with a local program that
12 provides for the collection for recycling of a consumer energy
13 storage module at a facility or by curbside collection.

14 Sec. 361.474. LIMITED LIABILITY FOR CERTAIN VIOLATIONS.
15 Notwithstanding any other law, an individual consumer is not
16 subject to civil, administrative, or criminal liability under
17 Chapter 7, Water Code, for a violation of Section 361.473 that is
18 inadvertent or incidental to noncommercial household use of a
19 consumer energy storage module.

20 Sec. 361.475. NO DUTY OF CERTAIN FACILITY OPERATORS.
21 Notwithstanding any other law, the owner or operator of a solid
22 waste disposal facility, mixed metal recycling collection
23 facility, or municipal mixed recyclable material collection
24 facility:

25 (1) is not subject to civil, administrative, or
26 criminal liability under Chapter 7, Water Code, if:

27 (A) a person places a consumer energy storage

1 module in the owner's or operator's facility; or

2 (B) a consumer energy storage module otherwise
3 arrives at the owner's or operator's facility through the
4 collection of solid waste or recyclable material for disposal or
5 recycling at the facility; and

6 (2) has no duty to locate or remove a consumer energy
7 storage module placed in or otherwise collected by the owner's or
8 operator's facility.

9 Sec. 361.476. COMMISSION RULEMAKING REGARDING
10 IDENTIFICATION OF COLLECTION BUSINESSES OR FACILITIES AND
11 BATTERIES SAFE FOR DISPOSAL. The commission by rule shall
12 identify:

13 (1) businesses or facilities in this state where an
14 individual consumer, steward organization, or other person may
15 place or deliver a consumer energy storage module for recycling or
16 disposal; and

17 (2) types of batteries that the commission determines
18 are safe for disposal for purposes of Section 361.472(3).

19 SECTION 2. As soon as practicable after the effective date
20 of this Act, the Texas Commission on Environmental Quality shall
21 adopt rules necessary to implement the changes in law made by this
22 Act.

23 SECTION 3. This Act takes effect September 1, 2025.