

SENATE AMENDMENTS
2nd Printing

By: Landgraf

H.B. No. 4112

A BILL TO BE ENTITLED

AN ACT

relating to the disposal or storage of high-level radioactive waste.

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

SECTION 1. Section 401.0525, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) With the exception of a permit for a facility located at the site of ~~[currently or formerly operating]~~ nuclear power reactors and ~~[currently or formerly operating]~~ nuclear research and test reactors operated by a university in accordance with Subsection (d), the commission may not under the authority given to the agency under Section 301, 304, or 401 of the Clean Water Act (33 U.S.C. Sections 1311, 1314, and 1341) issue a general construction permit or approve a Stormwater Pollution Prevention Plan under Section 26.040, Water Code, or issue a permit under the Texas Pollutant Discharge Elimination System Program under Section 26.027, 26.028, or 26.121, Water Code, for the construction or operation of a facility that is licensed for the disposal or storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 C.F.R. Part 72. Section 401.005 does not apply to this subsection.

(d) A facility permitted under the exception provided by Subsection (c) may store high-level radioactive waste only at the

1 nuclear power reactor or nuclear research and test reactor operated
2 by a university at which the waste originated.

3 SECTION 2. Section 401.072, Health and Safety Code, is
4 amended to read as follows:

5 Sec. 401.072. DISPOSAL OR STORAGE OF HIGH-LEVEL RADIOACTIVE
6 WASTE. (a) With the exception of storage at the site of [~~currently~~
7 ~~or formerly operating~~] nuclear power reactors and [~~currently or~~
8 ~~formerly operating~~] nuclear research and test reactors operated by
9 a university in accordance with Subsection (b), a person, including
10 the compact waste disposal facility license holder, may not dispose
11 of or store high-level radioactive waste in this state.

12 (b) A facility permitted under the exception provided by
13 Subsection (a) may store high-level radioactive waste only at the
14 nuclear power reactor or nuclear research and test reactor operated
15 by a university at which the waste originated.

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

ADOPTED

MAY 26 2025

Latey Spaw
Secretary of the Senate

By: *Bridwell*

H.B. No. 4112

Substitute the following for H.B. No. 4112:

By: *Bridwell*

C.S. H.B. No. 4112

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the disposal or storage of high-level radioactive
3 waste.

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

5 SECTION 1. Section 401.0525, Health and Safety Code, is
6 amended by amending Subsection (c) and adding Subsection (d) to
7 read as follows:

8 (c) With the exception of a permit for a facility located at
9 the site of [~~currently or formerly operating~~] nuclear power
10 reactors, and [~~currently or formerly operating~~] nuclear research
11 and test reactors operated by a university, in accordance with
12 Subsection (d), the commission may not under the authority given to
13 the agency under Section 301, 304, or 401 of the Clean Water Act (33
14 U.S.C. Sections 1311, 1314, and 1341) issue a general construction
15 permit or approve a Stormwater Pollution Prevention Plan under
16 Section 26.040, Water Code, or issue a permit under the Texas
17 Pollutant Discharge Elimination System Program under Section
18 26.027, 26.028, or 26.121, Water Code, for the construction or
19 operation of a facility that is licensed for the disposal or storage
20 of high-level radioactive waste by the United States Nuclear
21 Regulatory Commission under 10 C.F.R. Part 72. Section 401.005
22 does not apply to this subsection.

23 (d) A facility permitted under the exception provided by
24 Subsection (c) may store high-level radioactive waste only at the

1 nuclear power reactor, or the nuclear research and test reactor
2 operated by a university, at which the waste originated.

3 SECTION 2. Section 401.072, Health and Safety Code, is
4 amended to read as follows:

5 Sec. 401.072. DISPOSAL OR STORAGE OF HIGH-LEVEL RADIOACTIVE
6 WASTE. With the exception of storage at the site of [~~currently or~~
7 ~~formerly operating~~] nuclear power reactors, and [~~currently or~~
8 ~~formerly operating~~] nuclear research and test reactors operated by
9 a university, at which the waste originated, a person, including
10 the compact waste disposal facility license holder, may not dispose
11 of or store high-level radioactive waste in this state.

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

ADOPTED

MAY 26 2025

Latey Law
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

Birdwell

1 Amend C.S.H.B. No. 4112 (senate committee report) as
2 follows:

3 (1) In SECTION 1 of the bill, in amended Section
4 401.0525(c), Health and Safety Code (page 1, line 29), strike "L".

5 (2) In SECTION 1 of the bill, in added Section 401.0525(d),
6 Health and Safety Code (page 1, line 44), strike "L".

7 (3) In SECTION 2 of the bill, in amended Section 401.072,
8 Health and Safety Code (page 1, line 50), strike "L".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 26, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4112 by Landgraf (Relating to the disposal or storage of high-level radioactive waste.), **As Passed**
2nd House

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JMc, TUf, FV, AJL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 21, 2025

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4112 by Landgraf (relating to the disposal or storage of high-level radioactive waste.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JMc, TUf, FV, AJL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 20, 2025

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4112 by Landgraf (Relating to the disposal or storage of high-level radioactive waste.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JMc, TUf, FV, AJL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 23, 2025

TO: Honorable Brooks Landgraf, Chair, House Committee on Environmental Regulation

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4112 by Landgraf (relating to the disposal or storage of high-level radioactive waste.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JMc, FV, AJL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 1, 2025

TO: Honorable Brooks Landgraf, Chair, House Committee on Environmental Regulation

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4112 by Landgraf (Relating to the storage or disposal of high-level radioactive waste.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JMc, FV, AJL