

BILL ANALYSIS

Senate Research Center
76R15597 MI-F

C.S.H.B. 1654
By: Maxey (Brown)
Natural Resources
5/12/1999
Committee Report (Substituted)

DIGEST

Prior to 1996, criminal prosecutions were authorized for violations of state or county regulations regarding on-site sewage disposal systems. The local county health and human services department enforced the rules by approving the design, inspecting the installation, and responding to complaints involving the operation of these systems. Justice of the peace courts maintained enforcement through the filing of criminal complaints. However, in 1996, sections of the Water Code and the Health and Safety Code were repealed, and criminal prosecutions were no longer possible. C.S.H.B. 1654 sets forth regulations regarding private sewage facilities; provides a criminal penalty.

PURPOSE

As proposed, C.S.H.B. 1654 sets forth regulations regarding private sewage facilities; provides a criminal penalty.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7.173, Water Code, as follows:

Sec. 7.173. New heading: VIOLATION RELATING TO SEWAGE DISPOSAL. Deletes existing text providing that an offense is committed if a person violates certain rules, orders, or resolutions in a county that is contiguous to an international border.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Emergency clause.