

BILL ANALYSIS

Senate Research Center
76R1668 JJT-D

S.B. 828
By: Shapleigh
Natural Resources
4/15/1999
As Filed

DIGEST

Currently, under Texas law, the Texas Natural Resource Conservation Commission (TNRCC) is authorized to compromise, modify, or set aside administrative penalties on businesses or other entities for violations of environmental law or agency rules. One factor TNRCC uses to determine the amount of the administrative penalty is the violator's willingness to contribute to a "supplemental environment project" approved by TNRCC. This bill would authorize TNRCC to approve supplemental environmental projects located partially or wholly in the United Mexican States if the project substantially benefits territory in Texas.

PURPOSE

As proposed, S.B. 828 authorizes the Texas Natural Resource Conservation Commission to approve supplemental environmental projects located partially or wholly in the United Mexican States if the project substantially benefits territory in Texas.

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 7.067, Water Code, to authorize the Texas Natural Resource Conservation Commission (TNRCC) to approve a supplemental environmental project with activities in the territory of the United Mexican States if the project substantially benefits territory in this state in a manner described by Subsection (b). Prohibits TNRCC from approving a project that is necessary to bring a respondent into compliance with environmental laws or that is necessary to remediate environmental harm caused by the respondent's alleged violation. Redefines "supplemental environmental project."

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.