

BILL ANALYSIS

Senate Research Center
77R649 MI-D

S.B. 352
By: Truan
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, Texas law provides counties the authority to offer and require solid waste services, and permits them to collect fees for the service, but does not provide an effective enforcement mechanism to compel payment. As proposed, S.B. 352 permits a county to contract with a private or public entity, including a public utility to collect solid waste fees.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 364.034, Health and Safety Code, as follows:

Sec. 364.034. New heading: SOLID WASTE DISPOSAL SERVICE; FEES. Authorizes a fee for a service provided under this section to be collected by certain entities. Authorizes a county to contract with a public or private utility to collect a fee for a service provided under this section. Authorizes the contract to require the billing of the fee within the bill for other utility services; allow a fee to be paid to the utility for billing and collecting the fee; require a system of accounting for fees collected by an entity other than the county; and contain other terms as agreed to by the parties. Authorizes a county, rather than a public agency, or the public or private entity that has contracted with the county to provide the service, to aid enforcement of fee collection for the solid waste disposal service, to suspend service to a person who is delinquent in payment of solid waste disposal service fees until the delinquent claim is fully paid. Authorizes a public or private utility that bills and collects solid waste disposal service fees under this section to suspend service of that utility, in addition to the suspension of solid waste disposal service, to a person who is delinquent in the payment of the solid waste disposal service fee until the delinquent claim is fully paid.

SECTION 2. Effective date: January 1, 2002.