

BILL ANALYSIS

Senate Research Center

H.B. 2875
By: Bonnen (Armbrister)
Natural Resources
5/23/2003
Committee Report (Amended)

DIGEST AND PURPOSE

H.B. 2875 defines the term "dispose of " for purposes of criminal penalties imposed under the Water Code.

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 7.141, Water Code, by adding Subdivision (2-a), to define "dispose of."

SECTION 2. (a) Effective date: upon passage or September 1, 2003.

(b) Makes application of this Act prospective.

LIST OF COMMITTEE AMENDMENTS

Committee Amendment No 1:

Amends H.B. 2875 by adding two new sections, appropriately numbered, to read as follows:

SECTION _____. Amend Section 361.271, Health and Safety Code by adding Subsection (g) to read as follows:

(g) A political subdivision created under Article XVI, Section 59 or Article III, Section 52 of the Texas Constitution is not a person responsible under Chapter 361 of the Health and Safety Code for the release or threatened release of solid waste arising in connection with dredging, placement, and storage of materials from or on lands and waters within the jurisdiction of the political subdivision, including submerged lands, or the construction, operation, and maintenance of a dredge placement area.

SECTION _____. Amend Section 361.025, Health and Safety Code by adding Subsection (c) to read as follows:

(c) Activities of a political subdivision created under Article XVI, Section 59 or Article III, Section 52 of the Texas Constitution in connection with the construction and maintenance of waterways in aid of or to permit navigation in waters within the jurisdiction of the political subdivision, including activities associated with the dredging and placement of dredge materials from navigable waters of the state, are exempt from regulation under this Chapter.