

BILL ANALYSIS

Senate Research Center
80R6339 MSE-D

H.B. 1719
By: McReynolds (Nichols)
S/C on Ag., Rural Affairs & Coastal Resources
5/8/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows producers who hold a water quality management plan to bury agricultural waste without being required to file deeds for burial. H.B. 3355, 77th Legislature, Regular Session, 2001, allowed agricultural producers to operate with a water quality management plan under the auspices of the State Soil and Water Conservation Board. The ultimate purpose of this legislation was to further protect and preserve the integrity of groundwater. Prior to the passage of this legislation, an agricultural producer who intended to bury animal carcasses on his property was required, among other things, to contact the Texas Natural Resource Conservation Commission, now known as the Texas Commission on Environmental Quality (TCEQ), and record a notation of the burial in the deed records of the respective county courthouse. However, in oversight, the notification requirement for TCEQ was not removed.

H.B. 1719 removes the notification requirements for TCEQ to report the burial of animal carcasses.

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 Sections 201.026(b), (c), (h), (i), and (j), Agriculture Code, to redesignate the Texas Natural Resource Conservation Commission (TNRCC) as the Texas Commission on Environmental Quality (TCEQ), its successor agency.

SECTION 2. Amends Sections 201.026(f) and (g), Agriculture Code, as added by Chapter 1095, Acts of the 77th Legislature, Regular Session, 2001, to redesignate TNRCC as TCEQ, its successor agency.

SECTION 3. Amends Section 201.026(g), Agriculture Code, as added by Chapter 1189, Acts of the 77th Legislature, Regular Session, 2001, to prohibit TCEQ, rather than TNRCC, to require a landowner who requests and complies with a water quality management plan under Subsection (f) to record the burial of animal carcasses in the county deed records or report the burial to TCEQ.

SECTION 4. Effective date: upon passage or September 1, 2007.