

## **BILL ANALYSIS**

Senate Research Center

H.B. 3765  
By: Paxton (Averitt)  
Natural Resources  
5/1/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The 72nd Legislature, Regular Session, 1991, adopted a fee for the sale of lead-acid batteries, proceeds from which is deposited in the hazardous and solid waste remediation fee fund. Proceeds from this fee generate about half of the revenue held in the fund.

H.B. 3765 amends current law relating to the use of hazardous and solid waste remediation fee funds for lead-acid battery recycling activities.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality, as the successor agency to TNRCC.]

### **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 361.133(c), Health and Safety Code, to authorize the Texas Natural Resource Conservation Commission (TNRCC) to use the money collected and deposited to the credit of the account under this section, including interest credited under Subsection (b)(4) (relating to an account consisting of money collected by TNRCC from the interest received from the investment of this account), only for certain purposes, including for expenses, not to exceed 10 percent of the annually appropriated amount of the fees on batteries collected under Section 361.138 (Fee on the Sale of Batteries), related to lead-acid battery recycling activities, including expenses for programs for remediation, and to create incentives for the adoption of innovative technology in lead-acid battery recycling to increase the efficiency and effectiveness of the recycling process or reduce the negative environmental impacts of the recycling process.

SECTION 2. Effective date: September 1, 2009.