

## **BILL ANALYSIS**

Senate Research Center  
82R3846 SLB-F

C.S.H.B. 240  
By: Parker (Nelson)  
Natural Resources  
5/10/2011  
Committee Report (Substituted)

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

There is concern that the accidental or unintentional removal of a septic tank lid may contribute to harmful or fatal accidents involving children accessing and then falling into septic tanks. C.S.H.B. 240 seeks to prevent such accidents by requiring the Texas Commission on Environmental Quality to adopt rules to require on-site sewage disposal systems, including risers and covers, to be designed to prevent accidental or unintentional access to the system.

C.S.H.B. 240 amends current law relating to requiring the Texas Commission on Environmental Quality to adopt rules preventing access to on-site sewage disposal systems.

[**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**

Rulemaking authority previously granted to the Texas Commission on Environmental Quality [Texas Natural Resource Conservation Commission] is modified in SECTION 1 (Section 366.012, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 366.012(a), Health and Safety Code, to require the Texas Natural Resource Conservation Commission, to assure the effective and efficient administration of this chapter, to adopt certain rules, including to adopt rules under this chapter that require on-site sewage disposal systems, including risers and covers, installed after September 1, 2012, to be designed to prevent access to the system by anyone other than the owner of the system, or a person described by Section 366.071 (a) (relating to requiring a person who constructs, installs, alters, extends, services, maintains, or repairs an on-site sewage disposal system or any part of an on-site sewage disposal system for compensation to hold a license or registration) or (b) (relating to requiring a person designated by an authorized agent to hold a license). Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2011.