

BILL ANALYSIS

Senate Research Center

H.B. 451
By: Lucio III et al. (Hegar)
Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Illegal dumping is a major environmental and public health issue that can have very negative impacts on the water quality of Texas surface water bodies. The nature of illegal dumping, however, makes it difficult for law enforcement agencies to combat this crime.

H.B. 451 creates the "Don't Mess with Texas Water" program, to be administered by the Texas Commission on Environmental Quality, that will place signs on major highway water crossings that provides a toll-free hotline to report illegal dumping. The program will be optional for local governments, and will be a method for combating the rising incidence of illegal dumping in Texas.

H.B. 451 amends current law relating to the creation of a Don't Mess with Texas Water program to prevent illegal dumping that affects the surface waters of this state.

[**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 is expressly granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 26.053, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 26, Water Code, by adding Section 26.053, as follows:

Sec. 26.053. DON'T MESS WITH TEXAS WATER PROGRAM. (a) Requires the Texas Natural Resource Conservation Commission (TNRCC) by rule to establish a program to prevent illegal dumping that affects the surface waters of this state by placing signs on major highway water crossings that notify drivers of a toll-free number to call to report illegal dumping.

(b) Requires TNRCC to establish a toll-free number hotline that will forward calls to the appropriate law enforcement agency.

(c) Authorizes a local government to work with TNRCC to participate in the program. Authorizes a local government that participates in the program to contribute to the cost of operating the toll-free number hotline.

(d) Requires the Texas Department of Transportation (TxDOT) to cooperate with TNRCC in the placement of signs described by Subsection (a).

(e) Requires TxDOT to post a sign that complies with program requirements at a major highway water crossing at the time a previously posted sign identifying the crossing or prohibiting dumping at the crossing is scheduled to be replaced.

SECTION 2. Effective date: September 1, 2011.