

BILL ANALYSIS

Senate Research Center
86R11025 TSR-D

H.B. 191
By: Stephenson et al. (Kolkhorst)
Water & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Some Texans improperly dispose of unwanted pesticides or store such pesticides in unsafe conditions due to the lack of organized collection activities that allow for the responsible disposal of pesticide waste. H.B. 191 seeks to address this issue by providing for statewide pesticide waste and pesticide container collection activities.

H.B. 191 amends the Agriculture Code to require the Texas Department of Agriculture (TDA), in coordination with the Texas Commission on Environmental Quality (TCEQ) and the Texas A&M AgriLife Extension Service, to organize pesticide waste and pesticide container collection activities statewide. The bill authorizes TDA, TCEQ, and the extension service to contract for the services of contractors to implement the collection activities and facilitate the collection of canceled, unregistered, or otherwise unwanted pesticide products and pesticide containers. The bill establishes the pesticide disposal fund as a fund in the state treasury outside the general revenue fund to be administered by TDA and composed of money deposited to the credit of the fund from pesticide registration fees and interest earned on the investment of money in the fund. The bill requires the TDA to annually deposit to the credit of the fund from pesticide registration fees an amount not to exceed \$400,000 to cover the cost of administering the collection activities and restricts appropriation of money in the fund to the purposes of the collection activities.

H.B. 191 amends current law relating to the disposal of pesticides.

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 Subchapter A, Chapter 76, Agriculture Code, by adding Section 76.009, as follows:

Sec. 76.009. PESTICIDE DISPOSAL FUND. (a) Provides that the pesticide disposal fund is a fund in the state treasury outside the general revenue fund. Provides that the fund consists of:

- (1) money deposited to the credit of the fund under Section 76.044 (FEES); and
- (2) interest earned on the investment of money in the fund.

(b) Requires the Texas Department of Agriculture (TDA) to administer the fund. Authorizes money in the fund to be appropriated only for the purposes of the pesticide waste and pesticide container collection activities performed under Section 76.132.

SECTION 2. Amends Section 76.044, Agriculture Code, by adding Subsection (c), as follows:

(c) Requires TDA, of the money received by TDA under this section, to annually deposit to the credit of the pesticide disposal fund under Section 76.009 an amount to cover the

cost of administering the pesticide waste and pesticide container collection activities performed under Section 76.132, not to exceed \$400,000. Prohibits TDA from increasing the amount of a fee under this section for purposes of this subsection or Section 76.132.

SECTION 3. Amends Subchapter F, Chapter 76, Agriculture Code, by adding Section 76.132, as follows:

Sec. 76.132. DISPOSAL OF PESTICIDE. Requires TDA, in coordination with TCEQ and the Texas A&M AgriLife Extension Service, to organize pesticide waste and pesticide container collection activities statewide. Authorizes TDA, the Texas Commission on Environmental Quality, and the Texas A&M AgriLife Extension Service to contract for the services of contractors that are licensed in the disposal of hazardous waste under Section 401.202 (Licensing Authority), Health and Safety Code, or other contractors to implement the pesticide waste and pesticide container collection activities and facilitate the collection of canceled, unregistered, or otherwise unwanted pesticide products and pesticide containers.

SECTION 4. Effective date: September 1, 2019.