

BILL ANALYSIS

Senate Research Center
86R10213 SCL-D

H.B. 3045
By: Nevárez (Flores)
Natural Resources & Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 364.011, Health and Safety Code, allows a county commissioners court, within certain limitations, to regulate solid waste collection, handling, storage, and disposal in areas of the county not in a municipality or the municipality's extraterritorial jurisdiction.

H.B. 3045 would allow a county to offer, require the use of, and charge a fee for solid waste disposal services in the extraterritorial jurisdiction of a municipality wholly or partly located in a county with a population of more than 54,000 and less than 54,500 (Eagle Pass, Maverick County).

The municipality could not offer solid waste disposal services or charge a fee for those services in the extraterritorial jurisdiction if the county provided those services.

H.B. 3045 amends current law relating to the provision of solid waste disposal services in the extraterritorial jurisdiction of certain municipalities.

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 C, Chapter 364, Health and Safety Code, by adding Section 364.0341, as follows:

Sec. 364.0341. SOLID WASTE DISPOSAL SERVICES IN EXTRATERRITORIAL JURISDICTION OF CERTAIN MUNICIPALITIES. (a) Provides that this section applies only to a municipality wholly or partly located in a county with a population of more than 54,000 and less than 54,500.

(b) Authorizes a county, notwithstanding Sections 364.011(a) (relating to authorization for a commissioners court to regulate certain solid waste management activities) and 364.034(a) (relating to certain authorizations for a public agency or county in relation to solid waste disposal services), to offer, require the use of, and charge a fee for solid waste disposal services in the extraterritorial jurisdiction of a municipality.

(c) Prohibits a municipality from providing solid waste disposal services or charging a fee for those services in the municipality's extraterritorial jurisdiction if the county provides those services under Subsection (b).

SECTION 2. Effective date: September 1, 2019.