

BILL ANALYSIS

C.S.H.B. 2203
By: Miller
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Certain recent events in Sugar Land, Texas, have been cited as evidence illustrating the need for notification to political subdivisions when a radioactive substance is released into the environment. C.S.H.B. 2203 seeks to address this issue and keep residents and first responders safe by requiring certain notice to be provided in the event of a reported radioactive substance release.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2203 amends the Health and Safety Code to require the Department of State Health Services or any other state agency that receives a required report of a release of a radioactive substance into the environment to immediately provide notice to each political subdivision of the state into which the substance was released. The bill requires the notice to include the name, quantity, and state of matter of the radioactive substance, if known. The bill makes the information contained in the notice confidential and not subject to disclosure under state public information law.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2203 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the entity required to provide notice to a political subdivision of a radioactive substance release from the person who accidentally releases the substance to the Department of State Health Services or any other state agency that receives a required report of the release.

The substitute includes the following:

- a definition of "radioactive substance" by reference;
- a provision setting out required contents for a notice; and
- a provision making the information contained in a notice confidential and not subject to disclosure under state public information law.