

- SUBJECT:** Increasing maximum penalty for violation of water sanitation standards
- COMMITTEE:** Environmental Regulation — favorable, without amendment
- VOTE:** 7 ayes — E. Thompson, Blanco, Kacal, Kuempel, Reynolds, J. Turner, Zwiener
- 0 nays
- 2 absent — Lozano, Morrison
- SENATE VOTE:** On final passage, March 27 — 31-0
- WITNESSES:** For — (*Registered, but did not testify:* Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Alexis Tatum, Travis County Commissioners Court; and six individuals)
- Against — (*Registered, but did not testify:* Sommer Iqbal, City of Dallas)
- On — (*Registered, but did not testify:* Bryan Sinclair, Texas Commission on Environmental Quality)
- BACKGROUND:** Health and Safety Code ch. 341, subch. C establishes sanitary standards for drinking water and for protection of public water supplies and bodies of water.
- Sec. 341.048 permits the Texas Commission on Environmental Quality (TCEQ), a county, or a municipality to institute a civil suit against a person who violates the standards to assess a civil penalty. Sec. 341.049 permits TCEQ to assess a penalty against a person who causes, suffers, allows, or permits a violation of the standards. In each case, the penalty can range from \$50 to \$1,000 for each violation.
- DIGEST:** SB 530 would increase the maximum civil penalty that could be recovered by the Texas Commission on Environmental Quality (TCEQ) or a city or municipality in a civil suit and the maximum penalty that could be

assessed by the TCEQ for a violation of sanitary standards for drinking water, public water supplies, and bodies of water from \$1,000 to \$5,000.

The bill would take effect September 1, 2019, and would apply only to violations that occurred on or after the bill's effective date.

NOTES: According to the Legislative Budget Board, the bill would have a positive impact of \$2.9 million to general revenue related funds through fiscal 2020-21.