

BILL ANALYSIS

Senate Research Center

H.B. 212
By: Chisum (Brown)
Health & Human Services
5-5-97
Engrossed

DIGEST

Currently, the Texas Radiation Advisory Board (advisory board) evaluates and reviews radiation policies and programs of the state's single radiation control agency, the Texas Department of Health (TDH). Appointed by the governor and composed of persons with expertise in areas specified by law as well as representatives of the public, the advisory board has been making recommendations regarding the development, use, and source regulation of radiation for over 30 years. In 1991 and 1993, the Texas Legislature assigned the responsibility for regulating radiation to two additional agencies, the Texas Natural Resource Conservation Commission (TNRCC) and the Railroad Commission. H.B. 212 adds TNRCC and the Railroad Commission to the list of entities for which the advisory board is required to make recommendations, furnish advice, and review proposed guidelines and rules relating to the regulation of radiation. This legislation aims to maintain an orderly regulatory pattern, minimize duplication, and protect the environment and the public health.

PURPOSE

As proposed, H.B. 212 establishes the advisory function of the Texas Radiation Advisory Board.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 401.019, Health and Safety Code, to require the Texas Radiation Advisory Board (advisory board) to make recommendations and furnish certain technical advice to the Texas Department of Health (TDH), the Texas Natural Resource Conservation Commission, the Railroad Commission of Texas, and other state agencies; and review proposed rules and guidelines of those entities.

SECTION 2. Amends Chapter 401B, Health and Safety Code, by adding Section 401.020, as follows:

Sec. 401.020. DUTY OF AGENCIES WITH RADIATION-RELATED PROGRAMS.
Requires a state agency to consider the recommendations and advice of the advisory board that concern the agency's policies or programs related to the development, use, or regulation of a source of radiation; and provide the advisory board a written response to the recommendations or advice.

SECTION 3. Emergency clause.
Effective date: upon passage.