BILL ANALYSIS

Senate Research Center

S.B. 1560
By: Wentworth
State Affairs
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As Filed

DIGEST

Currently, Section 365.012, Health and Safety Code, creates an offense and imposes criminal penalties for illegal dumping. However, the dumping of household trash at rest stops and along highways continues unabated. H.B. 2503, passed in the 74th Legislative Session, granted "citizen citation power" to volunteers to address enforcement problems relating to unauthorized parking in handicapped spaces. This program has been successful in finding and training volunteers, issuing tickets without incident, and collecting fines. S.B. 1560 would establish a citizen citation program to help enforce the Litter Abatement Act, and reduce dumping of household trash at roadside parks and rest areas. This bill would also allow a political subdivision to grant authority to an appointed and trained person to file charges against violaters of Section 365.012 of the Texas Litter Abatement Act.

PURPOSE

As proposed, S.B. 1560 outlines provisions regarding the appointment of citizens by a political subdivision in the enforcement of the Texas Litter Abatement Act.

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 Chapter 365B, Health and Safety Code, by adding Section 365.0121, as follows:

Sec. 365.0121. ENFORCEMENT BY CERTAIN APPOINTED PERSONS. Authorizes a political subdivision to appoint a person to have authority to file a charge against a person who commits an offense under Section 365.012 by disposing of household waste by placing the waste at a roadside park. Sets forth requirements and provisions regarding a person appointed under this section. Provides that the political subdivision and the state are not liable for any damage arising from an act or omission of a person appointed under Subsection (a) in performing duties under this section. Defines "roadside park."

SECTION 2. Emergency clause.
        Effective date: upon passage.