

BILL ANALYSIS

Senate Research Center

H.B. 85
By: Gallego (Duncan)
Natural Resources
5/7/2001
Engrossed

DIGEST AND PURPOSE

Both the state of Texas and private businesses have spent a great deal of time and money attempting to locate an appropriate site for the construction of a facility for low-level radioactive waste in accordance with federal and state law. A 400-square mile area within Hudspeth County had been designated by the legislature as a possible site for low-level waste disposal but the State Office of Administrative Hearings ruled in 1998 that the Texas Low-Level Radioactive Waste Disposal Authority did not thoroughly investigate a geographic fault line directly beneath the site. H.B. 85 removes the provisions limiting the location of the disposal site to Hudspeth County.

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 Sections 402.029(a) and (c), Health and Safety Code, to delete text regarding Hudspeth County.

SECTION 2. Amends Section 402.059(a), Health and Safety Code, to delete text regarding Hudspeth County.

SECTION 3. Amends Section 403.001(a), Health and Safety Code, to require one of the voting members of the compact commission to be a legal resident of the host county. Provides that "host county" has the meaning assigned by Section 2.01, Article II, Texas Low-Level Radioactive Waste Disposal Compact (Section 403.006, Health and Safety Code). Makes a conforming change.

SECTION 4. Repealer: Section 402.059(d) (Relating to geographical area located in Hudspeth County), Health and Safety Code.

Repealer: Section 402.0921 (Site Area), Health and Safety Code.

Repealer: Section 402.0922 (Eminent Domain), Health and Safety Code.

SECTION 5. Effective date: upon passage or September 1, 2001.