

**BILL ANALYSIS**

Senate Research Center  
80R6906 SLO-D

S.B. 1282  
By: Van de Putte  
Natural Resources  
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As Filed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, under Section 361.014 (Use of Solid Waste Fee Revenue), Health and Safety Code, the Texas Commission on Environmental Quality (TCEQ) is authorized to use the state's municipal solid waste superfund for certain cleanup and remediation situations, but no specific authorization is provided to allow use of the fund for certain immediate threats to public health and safety, such as a fire. In some situations, the permit holder of a facility may not have sufficient financial means to address the problem immediately or appropriately.

As proposed, S.B. 1282 authorizes TCEQ to access funds from the state's municipal solid waste superfund for immediate response to or remediation of situations involving solid waste.

**RULEMAKING AUTHORITY**

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

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 361.014(a), Health and Safety Code, to authorize the state's municipal solid waste superfund, created from appropriated funds, to be used for the immediate response to or remediation of a fire or other emergency situation that involves solid waste, including material suitable for recycling or composting, as the Texas Commission on Environmental Quality determines necessary to protect the public health or safety.

SECTION 2. Effective date: upon passage or September 1, 2007.