

BILL ANALYSIS

Senate Research Center
83R7804 SLB-F

S.B. 819
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Rural Texas communities are facing challenges as they deal with a growing number of abandoned buildings. These abandoned structures are not only an eyesore to communities, but also create opportunities for undesirable activities such as drug manufacturing. They also present health and safety concerns to citizens caused by rodents, building collapses, and possible fire dangers. Many of these cities and counties would like to take action and demolish these structures. However, demolition of a structure is costly and results in debris that is regulated as municipal solid waste which is only allowable in certain landfills. In many of these communities, the cost of transporting waste to an approved landfill prohibits disposal.

S.B. 1258, 82nd Legislature, Regular Session, 2011, granted the Texas Commission on Environmental Quality the authority to adopt rules to create a process by which to issue a permit to authorize a city or county with a population of 10,000 or less to dispose of demolition waste from an abandoned building or building found to be a nuisance.

S.B. 819 simply raises the population cap to 12,000 so that additional cities and counties become eligible.

As proposed, S.B. 819 amends current law relating to the disposal of demolition waste from abandoned or nuisance buildings by certain local governments.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality, as the successor agency to TNRCC.]

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 361.126, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 361.126(b), Health and Safety Code, to authorize the Texas Natural Resource Conservation Commission (TNRCC) to issue a permit by rule to authorize the governing body of a county or a municipality with a population of 12,000 or less, rather than 10,000 or less, to dispose of demolition waste from a building if the disposal occurs on land that the county or municipality owns or controls, and would qualify for an arid exemption under TNRCC rules.

SECTION 2. Effective date: upon passage or September 1, 2013.