

BILL ANALYSIS

Senate Research Center
86R2899 MP-F

H.B. 907
By: Huberty (Creighton)
Natural Resources & Economic Development
5/15/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 907 amends the existing Water Code to increase fines for active aggregate production operations that operate without being registered, as mandated in applicable environmental laws and rules. Penalties would increase to not less than \$10,000 from \$5,000, and the maximum penalty would increase to \$20,000 from \$10,000. The total penalty would be capped at \$50,000, an increase from the current \$25,000.

H.B. 907 amends current law relating to the penalty for failure to register certain aggregate production operations with the Texas Commission on Environmental Quality.

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 Section 28A.102, Water Code, as follows:

Sec. 28A.102. PENALTY. Authorizes the Texas Commission on Environmental Quality to assess a penalty of not less than \$10,000, rather than not less than \$5,000, and not more than \$20,000, rather than not more than \$10,000, for each year in which an aggregate production operation operates without being registered under this chapter (Registration and Inspection of Certain Aggregate Production Operations). Prohibits the total penalty under this section from exceeding \$50,000, rather than exceeding \$25,000, for an aggregate production operation that is operated in three or more years without being registered.

SECTION 2. Effective date: September 1, 2019.