

BILL ANALYSIS

Senate Research Center
87R14627 JRR-D

H.B. 1680
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Natural Resources & Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Corps of Engineers manages the federal land along Lake Texoma in Grayson County. Different tracts of this land are leased out to individuals, marinas, a college, and veterans' organizations, all of which have septic systems on the individual leases. The structures on these leases are decades old, and most pre-date the current state regulations regarding on-site sewage disposal systems.

For the purposes of the current law, the entire corps property is treated as one property, and therefore is subject to the 5000-gallon-per-day limit. Current law does not recognize the leases as individual properties, and the corps property cannot be subdivided. As a result, no septic systems can be replaced, because the cumulative production of all of the septic systems on the property exceeds the 5000-gallon-per-day limit.

This bill would allow for these types of leases to be considered as individual tracts of land for the purposes of regulating on-site sewage disposal systems, therefore allowing the lessees to update or replace their existing systems.

H.B. 1680 amends current law relating to the regulation of on-site sewage disposal systems on certain leased land that is owned by the federal government.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 (Section 366.006, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 366, Health and Safety Code, is amended by adding Section 366.006, as follows:

Sec. 366.006. CERTAIN LEASED LAND OWNED BY FEDERAL GOVERNMENT.

(a) Provides that if a tract of land owned by the federal government contains separately leased individual parts, each leased part is considered a separate tract of land for purposes of Chapter 366 (On-Site Sewage Disposal Systems) or a rule adopted under Chapter 366.

(b) Authorizes the Texas Commission on Environmental Quality to adopt rules as necessary to administer this section.

SECTION 2. Effective date: September 1, 2021.