

BILL ANALYSIS

Senate Research Center

S.B. 872
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Business & Commerce
5/24/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The dry cleaner environmental response program was created in 2003 by H.B. 1366 (78R). This law established new environmental standards for dry cleaners and a remediation fund to assist with the assessment and remediation of contamination caused by dry cleaning solvents.

The Texas Commission on Environmental Quality oversees the dry cleaner remediation program (DCRP) and administers the dry cleaning facility release fund to assist with remediation of contamination caused by dry cleaning solvents.

Revenue sources for the fund include participant registration fees and solvent fees.

More than 100 sites remain on the most recent DCRP prioritization list and new sites continue to be added. However, the chapter and fund are set to expire September 1, 2021.

S.B. 872 simply extends the expiration of Chapter 374, Health & Safety Code, Dry Cleaner Environmental Response, to September 1, 2041.

S.B. 872 amends current law relating to the expiration of the dry cleaner environmental response program.

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 374.253(a), (b), and (c), Health and Safety Code, as follows:

(a) Provides that Chapter 374 (Dry Cleaner Environmental Response) expires on September 1, 2041, rather than September 1, 2021.

(b) Requires that a corrective action, including any administrative duties associated with the action, for which remediation of a contaminated site has begun before September 1, 2041, rather than September 1, 2021, be completed in accordance with Chapter 374 using money from the dry cleaning facility release fund (fund), to the extent possible, but prohibits money from being collected for or added to the fund on or after that date.

(c) Authorizes the Texas Commission on Environmental Quality to continue a corrective action that has not progressed beyond the investigative or planning stage after September 1, 2041, rather than September 1, 2021, to the extent money from the fund is available.

SECTION 2. Effective date: upon passage or September 1, 2021.