

BILL ANALYSIS

Senate Research Center

H.B. 1367
By: Hirschi(Barrientos)
Natural Resources
5-8-97
Engrossed

DIGEST

Currently, the Texas Natural Resource Conservation Commission (TNRCC) is not required to prepare a comprehensive report on environmental enforcement actions taken by TNRCC. This bill will provide regulations regarding reporting by TNRCC and the attorney general on environmental enforcement actions.

PURPOSE

As proposed, H.B. 1367 provides regulations regarding reporting by the Texas Natural Resource Conservation Commission and the attorney general on environmental enforcement actions.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 5D, Water Code, by adding Section 5.123, as follows:

Sec. 5.123. REPORT ON ENFORCEMENT ACTIONS. Requires the Texas Natural Resource Conservation Commission (TNRCC), not later than December 1 of each year, to prepare an electronic report on its enforcement actions for the preceding fiscal year, including a comparison with its enforcement actions for each of the preceding five fiscal years; and provide the report to certain persons. Requires the report to separately describe the enforcement actions for each type of regulatory program, including programs under certain Chapters of this Code and the Health and Safety Code. Requires the description of enforcement actions for each type of regulatory program to include certain information. Requires the attorney general, as soon as possible after the end of each fiscal year, to provide TNRCC information on enforcement actions referred by TNRCC to the attorney general that were resolved during the preceding fiscal year or are pending at the end of that fiscal year.

SECTION 2. Requires a report under Section 5.123, Water Code, by TNRCC on its enforcement actions for the preceding fiscal year that is prepared and delivered on or before December 1, 2000, to include a comparison with its enforcement actions for each of the preceding fiscal years beginning with the fiscal year ending August 31, 1996, notwithstanding Section 5.123, Water Code, as added by this Act.

SECTION 3. Emergency clause.
Effective date: upon passage.