

## **BILL ANALYSIS**

Senate Research Center

H.B. 213  
By: Chisum (Brown)  
Health & Human Services  
5-5-97  
Engrossed

### **DIGEST**

Currently, the Texas Radiation Advisory Board (board) reviews and evaluates state radiation policies and programs of the state's single radiation control agency, the Texas Department of Health. In 1991 and 1993, the Texas Legislature assigned the responsibilities for regulating radiation to two additional agencies: the Texas Natural Resource Conservation Commission and the Railroad Commission of Texas. This bill would amend the representation on the board and expand the duties of the board to include all state agencies with radiation-related programs.

### **PURPOSE**

As proposed, H.B. 213 amends the representation on the Texas Radiation Advisory Board (board) and expands the duties of the board to include all state agencies with radiation-related programs.

### **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 Section 401.015(a), Health and Safety Code, to provide that the Texas Radiation Advisory Board (board) is composed of, among others, one individual who is engaged in the use and application of nuclear physics in medicine and is certified by the American Board of Radiology or licensed by the Texas Board of Licensure for Professional Medical Physicists; one representative from the radioactive waste industry, rather than the radioactive waste processing industry; one representative from the petroleum industry, rather than the petroleum well servicing industry; one health physicist certified by the American Board of Health Physics; and three, rather than two, representatives of the public. Deletes text providing that the board is composed of, among others, one representative from public safety. Makes conforming changes.

SECTION 2. Amends Sections 401.018(b) and (c), Health and Safety Code, to require the board to hold special meetings that may be called by the board chairman, rather than the commissioner of public health, or by five, rather than three, board members. Makes conforming changes.

SECTION 3. Amends Section 401.019, Health and Safety Code, to require the board, among other duties, to make recommendations and furnish technical advice to the Texas Department of Health (department), the Texas Natural Resource Conservation Commission, the Railroad Commission of Texas, and other state agencies that may be required on matters relating to development, use, and regulation of sources of radiation; and to review proposed rules, rather than department rules, and guidelines of any state agency relating to regulation of sources of radiation and recommend changes in proposed or existing rules and guidelines relating to those matters.

SECTION 4. (a) Effective date: September 1, 1997.

(b) Requires the governor, promptly after the effective date of this Act, to appoint a third public representative to the board to serve an initial term equal to the remainder of the term of the public safety representative who is serving on the day preceding the effective date of this Act.

(c) Provides that the public safety representative who is serving on the board on the day preceding the effective date of this Act serves until the third public representative appointed by the governor qualifies to serve on the board.

SECTION 5. Emergency clause.