

BILL ANALYSIS

Senate Research Center
76R2231 DRH-D

H.B. 732
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Natural Resources
5/3/1999
Engrossed

DIGEST

The federal Environmental Protection Agency, in accord with the national Clean Water Act, created regulations for the National Pollutant Discharge Elimination System (NPDES). Because of the NPDES population brackets, Harris County is the only place in Texas included in the regulations. Therefore, Harris County, the City of Houston, the Harris County Flood Control District, and the Texas Department of Transportation applied for and were issued a joint NPDES permit to implement the program. The permit requires the joint permittees to submit a comprehensive stormwater management plan. H.B. 732 creates regulations for stormwater management plans of certain political subdivisions to comply with NPDES requirements, and provides a penalty.

PURPOSE

As proposed, H.B. 732 creates regulations for stormwater management plans of certain political subdivisions, and provides a penalty.

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 Title 13C, Local Government Code, by adding Chapter 422, as follows:

CHAPTER 422. AUTHORITY OF CERTAIN COUNTIES AND DISTRICTS TO REGULATE STORMWATER MANAGEMENT

Sec. 422.001. COUNTY OR DISTRICT SUBJECT TO CHAPTER. Limits the application of this chapter to include only a county with a minimum 2.8 million population, and a certain district or authority.

Sec. 422.002. GENERAL AUTHORITY. Authorizes certain entities to take actions to comply with the stormwater permitting program requirements. Sets forth the authorized actions.

Sec. 422.003. CIVIL PENALTY; INJUNCTION. Creates a maximum daily civil penalty of \$1,000 for a violation of this chapter. Authorizes certain entities to bring a suit in a district court to restrain a violation or recover a civil penalty.

SECTION 2. Emergency clause.
Effective date: upon passage.