

BILL ANALYSIS

Senate Research Center
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S.B. 1603
By: Staples
Natural Resources
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As Filed

DIGEST AND PURPOSE

Many agricultural producers currently operate with a water quality management plan created by the State Soil and Water Conservation Board (board) to assist in protecting and preserving water supplies. Under current law, a person without a plan who intends to bury agricultural waste must follow the Texas Natural Resource Conservation Commission (TNRCC) guidelines for burial, including notifying TNRCC before each burial and deed recordation of property for each burial. As proposed, S.B. 1603 requires the board to develop criteria for the proper burial of animal carcasses in plans for agricultural facilities.

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 Section 201.026, Agriculture Code, as follows:

(c) Adds language requiring a plan that covers agricultural land on which animal carcasses will be disposed of by burial to include provisions for siting criteria and appropriate management practices for the disposal of animal carcasses. Adds language to require a water quality management plan that includes provisions for the disposal of animal carcasses to identify suitable locations for disposal based on site-specific factors including land-use, soil conditions, or proximity to groundwater or surface water supplies. Requires a location of any suitable disposal area to be determined in a manner prescribed by the State Soil and Water Conservation Board (state board). Provides that property that is the subject of and compliant with the provisions of certified water quality management plan under this section is exempt from any deed recordation requirements in state law or regulation related to the disposal or management of industrial solid waste.

(d) Authorizes the state board to develop and certify a water quality management plan under this section for any agricultural or silvicultural land at the request of the landowner.

SECTION 2. Effective date: upon passage or September 1, 2001.