

## **BILL ANALYSIS**

Senate Research Center  
77R4279 YDB-D

S.B. 509  
By: Moncrief  
Intergovernmental Relations  
3/5/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, the Texas Department of Health regulates asbestos abatement in public and commercial buildings in Texas. The Texas Asbestos Health Protection Act and rules require a survey for asbestos-containing building materials to be completed and any existing asbestos to be abated before any demolition or renovation of a public or commercial building. However, the compliance rate is low, as contractors claim to be unaware of the requirement and building permit offices do not always inform the permit applicant of the requirement. As proposed, S.B. 509 prohibits a municipality or county that issues a renovation or demolition permit for a public or commercial building from doing so unless the applicant provides acceptable evidence that an asbestos survey of the building has been completed by a licensed asbestos surveyor.

### **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 the Texas Asbestos Health Protection Act (Article 4477-3a, V.T.C.S.), by adding Section 13, as follows:

Sec. 13. SURVEY REQUIRED. Defines “permit.” Prohibits a municipality or county that requires a person to obtain a permit before renovating or demolishing a public building from issuing the permit unless the applicant provides evidence acceptable to the municipality or county that an asbestos survey of the building has been completed by a person licensed under this Act to perform a survey.

SECTION 2. Effective date: September 1, 2001.

SECTION 3. Makes application of this Act prospective to January 1, 2002.