

BILL ANALYSIS

Senate Research Center
78R4523 JJT-D

S.B. 811
By: Shapleigh
Natural Resources
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As Filed

DIGEST AND PURPOSE

Current Texas law permits domestic waste to be legally burned even when the local government does not provide on-premises trash collection service or authorize a business or other entity to provide on-premises trash collection services. Open burning of waste, especially items such as plastics and tires, produces a large number of hazardous toxins that can cause lung damage. According to the Texas Commission on Environmental Quality (TCEQ), the least hazardous time for waste burning is during the daylight hours. As proposed, S.B. 811 mandates that burning of domestic waste can commence no earlier than one hour after sunrise and shall be completed on the same day, not later than one hour before sunset.

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 382.018, Health and Safety Code, as follows:

Sec. 382.018. OUTDOOR BURNING OF WASTE AND COMBUSTIBLE MATERIAL.

(a) Creates this subsection from existing text.

(b) Prohibits outdoor burning of domestic waste from commencing earlier than one hour after sunrise and prohibits it from continuing later than one hour before sunset of the same day.

SECTION 2. Effective date: upon passage or September 1, 2003.