

BILL ANALYSIS

Senate Research Center
78R5783 MI-D

S.B. 887
By: Carona
Natural Resources
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As Filed

DIGEST AND PURPOSE

For each ton or cubic yard of solid waste placed in a municipal solid waste landfill, the state assesses municipalities a solid waste fee. The collected fees are used to administer the solid waste function of the Texas Commission on Environmental Quality and to provide solid waste grants, as administered by the regional councils of government (COGs). For a decade, the assessment rate has been \$1.25/ton. One half of the fees currently collected (\$0.65) are disbursed to the regional COGs, where the money is used to provide grants. As proposed, S.B. 887 allows cities to make more efficient use of the local funds; allows cities to keep one-half of fees, which are typically returned to them in the form of grants; and provides that municipalities will no longer be required to seek the return of their own money from the councils of government via grants.

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 361.013(a), Health and Safety Code, to require the Texas Commission on Environmental Quality (TCEQ), except as provided by Subsections (e) through (i), to charge 65 cents, rather than \$1.25 per ton, on all solid waste that is disposed of within this state.

SECTION 2. Sections 361.014(a) and (d), Health and Safety Code, as follows:

(a) Requires revenue received by TCEQ under Section 361.013 to be deposited in the state treasury to the credit of TCEQ and be dedicated to TCEQ's municipal solid waste permitting and enforcement programs and certain related support activities and to pay for such activities that will enhance the state's solid waste management program.

(d) Requires revenues allocated to TCEQ for the purposes authorized by Subsection (a) to be deposited to the credit of the waste management account. Deletes text requiring that revenues allocated to local and regional solid waste projects be deposited to the credit of an account in the general revenue fund known as the municipal solid waste disposal account.

SECTION 3. Repealer: Section 361.014(b) (Use of Solid Waste Fee Revenue), Health and Safety Code.

SECTION 4. Provides that money dedicated to local and regional solid waste projects that is in the municipal solid waste disposal account on the effective date of this Act is dedicated on that date to the purposes stated in Section 361.014(a), Health and Safety Code, as amended by this Act.

SECTION 5. Effective date: September 1, 2003.