

## BILL ANALYSIS

Senate Research Center

C.S.H.B. 2466  
By: Swinford (Ellis)  
Government Organization  
5/10/2005  
Committee Report (Substituted)

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 2466 amends Section 361.423, Health and Safety Code, to eliminate the Texas Recycling Market Development Board (board) and establish joint coordination of recycling activities by the Texas Commission on Environmental Quality (TCEQ) and the Texas Building and Procurement Commission (TBPC) with the entities maintaining the functions and activities of the board. C.S.H.B. 2466 also amends Section 2155.448(a), Government Code, to eliminate its reference to the board.

C.S.H.B. 2466 requires TCEQ and TBPC to utilize the Pollution Prevention Advisory Committee established in Section 361.0215, Health and Safety Code, in carrying out their recycling efforts.

### 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 2155.448(a), Government Code, to delete existing text requiring the Texas Building and Procurement Commission (TBPC) to coordinate with the Recycling Market Development Board (board) in identifying, by rule, certain commodities or services.

SECTION 2. Amends Section 361.423, Health and Safety Code, as follows:

Sec. 361.423. New heading: RECYCLING MARKET DEVELOPMENT IMPLEMENTATION PROGRAM. (a) Requires the Texas Commission on Environmental Quality (TCEQ), TBPC, and other consenting state agencies as appropriate, to regularly coordinate the recycling activities of state, rather than member, agencies and to each pursue a specific economic development strategy. Deletes existing text relating to the establishment, functions, and duties of the board.

(b) Requires TCEQ and TBPC, rather than the board, on an ongoing basis, to jointly take certain actions, including analyzing or taking into consideration the market development implications of certain policies and existing and potential markets relating to waste management and the state's tax structure and overall economic base.

(c) Makes conforming changes.

(d) Requires TCEQ and TBPC, in carrying out this section, to utilize the Pollution Prevention Advisory Committee as set out in Section 361.0215 (Pollution Prevention Advisory Committee), Health and Safety Code.

SECTION 3. (a) Provides that, on the effective date of this Act, the board is dissolved.

(b) Provides that, on the effective date of this Act, all functions and activities of the board are transferred to TCEQ and TBPC jointly, and those agencies have all duties and rights of the board as provided by law immediately before that date.

(c) Provides that the validity of an action taken by the board before the effective date of this Act is not affected by the dissolution of the board by this Act.

SECTION 4. Effective date: September 1, 2005.