

BILL ANALYSIS

Senate Research Center
76R11385 MI-D

C.S.S.B. 1594
By: Brown
Natural Resources
4/8/1999
Committee Report (Substituted)

DIGEST

Currently, the Texas Natural Resource Conservation Commission (TNRCC) is authorized to issue a Regulatory Flexibility Order to an applicant requesting an exemption from a statute or TNRCC rule regarding the control or abatement of pollution. This bill would require TNRCC to increase participation for certain small businesses through its regulatory flexibility programs.

PURPOSE

As proposed, C.S.S.B. 1594 requires the Texas Natural Resource Conservation Commission to increase participation for certain small businesses through its regulatory flexibility programs.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5.123, Water Code, by adding Subsection (h), to require the Texas Natural Resource Conservation Commission (TNRCC), in implementing the program of regulatory flexibility authorized by this section, to market the program to businesses in the state through all available media, endorse alternative methods that will benefit the environment and impose the least onerous restrictions on business, fix and enforce environmental standards, allowing businesses flexibility in meeting the standards in a manner that enhances environmental outcomes, and work to achieve consistent and predictable results for the regulated community and shorter waits for permit issuance.

SECTION 2. Amends Chapter 5D, Water Code, by adding Section 5.125, as follows:

Sec. 5.125. COST-SHARING FOR ENVIRONMENTAL COMPLIANCE ASSESSMENTS BY CERTAIN BUSINESSES. Defines “environmental compliance assessment.” Authorizes TNRCC to implement cost-sharing to assist with payment of costs for an environmental compliance assessment performed by a business subject to regulation by TNRCC that employs at least 100 but not more than 250 individuals.

SECTION 3. Amends Section 382.0365, Health and Safety Code, by adding Subsection (g) and redesignating existing Subsection (g) as Subsection (h), to authorize TNRCC to also assist under this program small businesses that employ at least 100 but not more than 250 individuals. Makes a conforming change.

SECTION 4. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Amends Section 5.125, Chapter 5D, Water Code, to create a new heading, define “environmental compliance assessment,” and authorize TNRCC to implement cost-sharing to assist with payment of costs for an environmental compliance assessment, rather than an audit, performed by a business subject to regulation by TNRCC that employs at least 100 but not more than 250 individuals.