

TCEQ LEGISLATIVE IMPLEMENTATION, 88TH LEGISLATIVE SESSION, 2023

Bill Type	Bill Number	Author	Caption/Description	Effective Date	Implementation
HB	139	Klick, S	Relating to the provision of notice of certain proposed rules by state agencies.	13-Jun-23	TCEQ's rulemaking documents will be revised as needed to the requirements of the bill.
HB	162	Murr, A	Relating to minimum standards for prescribed burns.	1-Sep-23	Once Texas Department of Agriculture updates its regulations, TCEQ's regulations will be reviewed to ensure that the regulations are consistent. TCEQ's website and the "Outdoor Burning in Texas" publication (RG-049) may need to be updated accordingly.
HB	567	Bowers, R	Relating to discrimination on the basis of hair texture or protective hairstyle associated with race.	1-Sep-23	TCEQ will review and edit policies, as needed. Target completion by First Quarter, FY 2024. HB 567 is complete.
HB	692	Rogers, G	Relating to the authorization for certain land applications and disposal of dairy waste in control or retention facility	1-Sep-23	Rulemaking for 30 TAC Chapter 321 is being developed and is anticipated to be filed for proposal in Spring 2024.
HB	915	Craddick, T	Relating to the creation of a workplace violence hotline and a requirement that employers post notice regarding the hotline.	1-Sep-23	TCEQ will post notices based on the form and content prescribed by Texas Workforce Commission. TCEQ will also evaluate any policy revisions, including Workplace Violence, needed to comply with the notice. The target completion date is the end of FY 2024.
HB	1500	Holland, J	Relating to the continuation and functions of the Public Utility Commission of Texas and the Office of Public Utility Counsel, and the functions of the independent organization certified for the ERCOT power region; increasing an administrative penalty.	1-Sep-23	Rulemaking is required to incorporate statutory changes to the term of an emergency order to appoint a temporary manager of an abandoned utility.
HB	1598	Darby, D	Relating to local government and other political subdivision regulation of certain solid waste facilities.	18-Jun-23	TCEQ will revise guidance documents, procedures, and checklists as needed.

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HB	1688	Murr, A	Relating to expansion of water quality protection areas.	1-Sep-23	Rulemaking is needed for 30 TAC Chapter 311, with adoption in early Summer 2024 and the process for renewal with amendment of general permit TXG500000 to take place December 2023 – February 2025, and amendment to general permit TXR050000 to take place December 2023 – June 2025.
HB	1817	Capriglione, G	Relating to the validity of a contract for which a disclosure of interested parties is required.	9-Jun-23	TCEQ revised contract templates and procedures to include required changes effective October 31, 2023. HB 1817 is complete.
HB	1845	Metcalf, W	Relating to the licensing requirements for certain operators of wastewater systems and public water systems.	1-Sep-23	Implementation will require rulemaking and information technology application changes. Rulemaking is estimated to be completed in the fall of 2024. However, TCEQ started accepting applications for the Provisional licenses on October 1, 2024. The bill impacts Wastewater D and Water D licenses.
HB	2060	Capriglione, G	Relating to the creation of the artificial intelligence advisory council.	13-Jun-23	TCEQ will submit an automated decisions systems inventory report to the artificial intelligence advisory committee by July 1, 2024. HB 2060 is complete.

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HB	2157	Metcalf, W	Relating to the salary of certain employees who transfer within a state agency.	1-Sep-23	TCEQ will revise the hiring policy and procedures accordingly. The target completion date is September 30, 2023.
HB	2195	Noble, C	Relating to wrong, fictitious, altered, or obscured license plates.	1-Sep-23	The vehicle emissions inspection analyzer software requires modifications which generally takes 12 to 15 months. The project is expected to be done concurrently with the analyzer software updates required for HB 3014 (exempting electric vehicles from emissions and exhaust system inspections) and HB 3297 (eliminating mandatory annual vehicle safety inspections for noncommercial vehicles). The target completion date is January 1, 2025.
HB	2453	Guillen, R	Relating to the issuance of digital licenses by a licensing agency.	1-Sep-23	While the bill does not require rulemaking, TCEQ will propose clarifying amendments to 30 TAC Chapter 30, Occupational Licenses and Registrations, to explicitly state that TCEQ may issue a digital license in lieu of a physical paper license. Rulemaking is estimated to be completed in the fall of 2024.
HB	2489	Kacal, K	Relating to renaming the Texas Natural Resources Information System as the Texas Geographic Information Office and the duties of certain officers of that entity.	1-Sep-23	TCEQ will replace the TNRIS name to TGIO within agency communications and on TCEQ's website.
HB	2518	Bell, K	Relating to public work contracts, including contracts on public property leased to a nongovernmental entity.	1-Sep-23	TCEQ does not participate in public works contracts. Contracts under HB 2518 will be addressed on a case by case basis. TCEQ does not recognize any necessary changes to agency documentation and processes. HB 2518 is complete.
HB	2815	Jetton, J	Relating to the powers, authorities, duties, and responsibilities of water districts.	18-Jun-23	Rulemaking proposal anticipated for 30 TAC Chapter 293 in June 2024 with adoption anticipated in November 2024.
HB	3013	Slawson, S	Relating to exempting certain contracts from procurement notice requirements.	1-Sep-23	Texas Procurement and Contract Management Guide (CPA) has been updated. TCEQ did not recognize any necessary changes to agency documentation and processes. HB 3013 is complete.

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HB	3014	Harris, C	Relating to the motor vehicle safety inspection of electric vehicles.	1-Sep-23	The vehicle emissions inspection analyzer software requires modifications which generally takes 12 to 15 months. The project is expected to be done concurrently with the analyzer software updates required for HB 2195 (adding a license plate check to the vehicle safety inspection sequence) and HB 3297 (eliminating mandatory annual vehicle safety inspections for noncommercial vehicles). The target completion date is January 1, 2025.
HB	3033	Landgraf, B	Relating to attorney general decisions under the public information law.	1-Sep-23	TCEQ policies and procedures have been updated to reflect new requirements.
HB	3060	Thompson, E	Relating to the regulation of recycling and recycled products.	27-May-23	TCEQ will update its procedures and related documents. The target completion date for rulemaking is the fall of 2024.

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HB	3130	Guerra, B	Relating to the protection of certain occupational licensing information regarding clients of family violence shelter centers, victims of trafficking shelter centers, and sexual assault programs.	1-Sep-23	TCEQ will need to update information technology applications so that, when requested under this statute, certain information can be kept confidential. Some of the information individuals may request to be kept confidential has already been publicly withheld for all occupational licensees, effective September 1, 2023, as a result of SB 510. TCEQ has updated the public information requests (PIR) procedures to redact information when requested under HB 3130.
HB	3297	Harris, C	Relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees.	1-Jan-25	<p>The vehicle emissions inspection analyzer software requires modifications which generally takes 12 to 15 months. The project is expected to be done concurrently with the analyzer software updates required for HB 2195 (adding a license plate check to the vehicle safety inspection sequence) and HB 3014 (exempting electric vehicles from emissions and exhaust system inspections). The target completion date is January 1, 2025.</p> <p>A rule and State Implementation Plan (SIP) revision are required to remove references related to safety inspections. The commission approved a proposed Inspection/Maintenance SIP revision and associated 30 TAC Chapter 114 rulemaking for publication and comment on May 31, 2023. The process to complete a rule and SIP revision generally takes 12 to 18 months.</p>
HB	3461	Bonnen, G	Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money.	13-Jun-21	TCEQ updated revenue related documentation to reflect the abolishment and transfer of funds from account 5000 to account 0549. In addition, the Leaking Water Wells Account was established. HB 3461 is complete.
HB	3485	Bell, K	Relating to a contractor's or subcontractor's right to elect not to proceed with additional work under a contract.	1-Sep-23	TCEQ is updating the terms and conditions of agency contracts. The target completion date is December 31, 2023.

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HB	3507	Holland, J	Relating to contracts for the construction, repair, and renovation of certain conservation and reclamation district facilities.	1-Sep-23	Rulemaking proposal anticipated for 30 TAC Chapter 293 in June 2024 with adoption anticipated in November 2024.
HB	3810	Landgraf, B	Relating to certain notices provided to the Texas Commission on Environmental Quality by public water supply systems.	1-Sep-23	TCEQ, in consultation with TDEM, developed an on-line reporting form to implement notification requirements by September 1, 2023. Rulemaking to adopt the notice requirements into TAC Chapter 290 and update guidance documents is anticipated for proposal in April 2024 with adoption in September 2024.
HB	4087	Kuempel, J	Relating to the issuance of a permit authorizing the use of certain temporary on-site sewage disposal systems.	1-Sep-23	TCEQ will revise 30 Texas Administrative Code (TAC) Chapter 285 (On-Site Sewage Facilities).
HB	4123	Guillen, R	Relating to access to and use of certain criminal history record information	1-Sep-23	No implementation action necessary.
HB	4256	Murr, A	Relating to the establishment of a grant program to plug leaking water wells in certain counties.	13-Jun-23	Schedule, including rule implementation, is in development.
HB	4510	Smith, J	Relating to annual financial reports submitted by state agencies.	1-Sep-24	TCEQ will review its processes and implement any revisions. The target completion date is August 31, 2024.
HB	4553	Longoria, O	Relating to the eligibility of certain entities for services and commodity items provided by the Department of Information Resources and statewide technology centers.	1-Sep-23	No changes are necessary to TCEQ processes HB 4553 adds to a list of entities that can utilize DIR Contracts. HB 4553 is complete.
HB	4559	Darby, D	Relating to the application of statutes that classify political subdivisions according to population.	1-Sep-23	Rulemaking proposal anticipated for 30 TAC Chapters 290 and 291 anticipated in April 2024 with adoption in September 2024.

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HB	4885	Landgraf, B	Relating to the Texas Emissions Reduction Plan.	1-Sep-23	<p>The bill revised the allocation of administrative costs from \$16 million per fiscal year to not more than 15 percent of TERP Trust revenue each biennium; established the Texas hydrogen infrastructure, vehicle, and equipment (THIVE) grant program; increased the amount that TCEQ may contract with the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station from \$216,000 per fiscal year to \$500,000 per fiscal year and add energy efficiency programs administered by the Public Utility Commission (PUC) or the State Energy Conservation Office (SECO), as well as the implementation of advanced building energy codes, to the types of projects that may be included in the contract; and added downstream “refining” oil and gas activities to projects eligible for the New Technology Implementation Grant Program (NTIG).</p> <p>TCEQ must revise the New Technology Implementation Grants Program Guidelines for Grants (RG-484) to incorporate downstream “refining” oil and gas activities to projects eligible. For the THIVE program, TCEQ will develop program criteria and solicit public input before finalizing solicitation materials and opening the grant program in FY 2024.</p>
HB	4932	Lopez, J	Relating to the amount of foreign emissions of air contaminants in nonattainment areas and the required revision of the state implementation plan to account for those emissions.	1-Sep-23	<p>TCEQ will estimate the contribution of foreign emissions at federal air quality monitors located in Texas ozone and particulate matter (PM) nonattainment areas, designated as of September 1, 2026. The TCEQ executive director will report to the commission by September 1, 2027, a recommendation on whether to revise the state implementation plan (SIP) to account for the estimated foreign emissions contributions. If a SIP revision is recommended, additional stakeholder outreach, public hearings, and proposal and adoption agendas will be required.</p> <p>Program Implementation - Tentative Schedule: Internal and/or contracted technical analyses: Fiscal Year (FY) 2024 - 2027</p> <p>Final fine particulate matter (PM2.5) nonattainment area designations by EPA expected: Spring/Summer 2026</p> <p>SIP revision recommendation to the commission: August 2027</p>

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SB	30	Huffman, J	Relating to supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.	9-Jun-23	TCEQ is implementing the required sections of the supplemental bill. SB 30 is complete.
SB	222	Nichols, R	Relating to paid leave by certain state employees for the birth or adoption of a child.	1-Sep-23	TCEQ has updated required policies and procedures with guidance received from the State Auditor's Office and/or Comptroller. SB 222 is complete.
SB	271	Johnson, N	Relating to state agency and local government security incident procedures.	1-Sep-23	TCEQ made the required changes to security notification requirements and changes to the Data Breach Response Plan and Incident Response Plan. SB 271 is complete.

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SB	422	Paxton, A	Relating to the authority of certain military service members to engage in a business or occupation in this state.	1-Sep-23	The rulemaking process is estimated to be completed in the Fall of 2024.
SB	471	Springer, D	Relating to the investigation by the Texas Commission on Environmental Quality of certain complaints.	1-Sep-23	TCEQ will revise the complaint manual and post procedural changes on the associated public webpages for handling complaints where an investigation is not required. The complaint manual has a targeted completion date of March 2024.
SB	510	Perry, C	Relating to the confidentiality of certain information maintained by state licensing agencies.	1-Sep-23	The database updates to remove the confidential information from the public-facing webpages were completed prior to September 1, 2023. Database updates to allow individuals to view their licensing information will occur when this project comes up in the agency's IT ranking process. A timeline cannot be estimated at this time.
SB	594	Zaffirini, J	Relating to requirements for and charges for service from public drinking water supply systems.	1-Sep-23	The rulemaking process for 30 TAC Chapter 290 is anticipated for proposal in April 2024 with adoption in September 2024.
SB	621	Parker, T	Relating to the position of chief information security officer in the Department of information resources.	1-Sep-23	TCEQ confirmed that the agency's information management and security responsibilities did not change with the formalization of the Chief Information Security Office role at the Department of Information Resources. SB 621 is complete.
SB	768	Parker, T	Relating to the process for notifying the attorney general of a breach of security of computerized data by persons doing business in this state.	1-Sep-23	TCEQ's business processes will be amended as needed for implementation. SB 768 is complete.
SB	786	Birdwell, B	Relating to the regulation by the Railroad Commission of Texas of closed-loop geothermal injection wells.	1-Sep-23	Implementation of SB 786 and SB 1186 will be addressed in a combined rulemaking for 30 TAC Chapter 331 and is estimated to be completed in the fall of 2024. Potential rulemaking for 30 TAC Chapter 7 will be determined based on outcome of Texas Railroad Commission rulemaking initiatives.
SB	938	Blanco, C	Relating to the issuance by certain conservation and reclamation districts of bonds for the development and maintenance of recreational facilities.	7-Nov-23	Implementation is dependent on results of constitutional amendment action in November 2023 election.

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SB	943	Kolkhorst, L	Relating to the publication of notices by a governmental entity on the Internet websites of a newspaper and Texas Press Association.	1-Sep-23	N/A
SB	1017	Birdwell, B	Relating to the authority of a political subdivision to regulate an energy source or engine.	1-Sep-23	N/A
SB	1186	Hughes, B	Relating to the regulation by the Railroad Commission of Texas of brine mining.	27-May-23	Implementation of SB 1186 and SB 786 will be addressed in a combined rulemaking for 30 TAC Chapter 331 and is estimated to be completed in the fall of 2024. Potential rulemaking for 30 TAC Chapter 7 will be determined based on outcome of Texas Railroad Commission rulemaking initiatives.
SB	1289	Perry, C	Relating to the disposal of reclaimed wastewater.	18-Jun-23	The rulemaking proposal for 30 TAC Chapters 321 and 210 is anticipated to be filed with the Texas Register in Summer 2024.
SB	1290	Perry, C	Relating to a study of the effects of the operation and disposal of solar, wind turbine, and energy storage equipment.	18-Jun-23	TCEQ will coordinate with the Department of Agriculture, Texas A&M Forest Service, Texas A&M AgriLife Extension Service, Texas A&M Engineering Extension Service, groundwater conservation districts, and river authorities, interested parties, and stakeholders to compile study information. Study anticipated to be completed by November 2024 with final findings reported to the Governor, Lieutenant Governor, and Speaker of the House of Representatives by December 1, 2024.
SB	1305	Nichols, R	Relating to the transfer of the ownership rights of the City of Nacogdoches in the Central Heights Water System to the Angelina and Neches River Authority.	1-Sep-23	The City of Nacogdoches and Angelina & Neches River Authority have closed on the sale/transfer of Central Heights as of November 6, 2023. The original PWS, Central Heights WSC, was reactivated as Central Heights Utilities (TX1740008) on November 6, 2023 under Angelina & Neches River Authority ownership

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SB	1376	Parker, T	Relating to a state employment preference for certain spouses of veterans with a disability.	1-Sep-23	TCEQ reviewed and edited policies, as needed for implementation. SB 1376 is complete.
SB	1397	Schwertner, C	Relating to the continuation and functions of the Texas Commission on Environmental Quality.	1-Sep-23	See TCEQ Sunset Implementation Table for details. https://www.tceq.texas.gov/downloads/agency/sunset/external-sunset-implementation-table-status-x.pdf
SB	1893	Birdwell, B	Relating to prohibiting the use of certain social media applications and services on devices owned or leased by governmental entities.	1-Sep-23	TCEQ will update internal Operating Policies and Procedures, as needed for implementation. SB 1893 is complete.
SB	2102	Miles, B	Relating to the initial registration and inspection period for certain rental vehicles.	1-Sep-23	A rule and State Implementation Plan (SIP) revision are required to make applicable revisions including the definition of "Rental vehicle". The commission previously approved a separate proposed Inspection/Maintenance SIP revision and associated 30 TAC Chapter 114 rulemaking for publication and comment on May 31, 2023. The SIP revision and rulemaking to implement SB 2102 cannot be proposed until after the current projects are adopted, which is currently scheduled for November 2023. The process to complete a rule and SIP revision generally takes 12 to 18 months. The rules and SIP revision to implement SB 2102 are expected to be proposed in May 2024 and adopted in November 2024.
SB	2440	Perry, C	Relating to requiring certain plats for the subdivision of land to include proof of groundwater supply.	1-Jan-24	A proposed rule amendment for 30 TAC Chapter 230 is anticipated in Spring 2024 with adoption in Fall 2024.