

## VIII. Statutory Authority and Recent Legislation

**A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2015–2020, or earlier significant Attorney General opinions, that affect your agency’s operations.**

**Exhibit 14: Statutes / Attorney General Opinions**

Citation / Title	Authority / Impact on Agency
33 United States Code (USC) Sections 1251 through 1388 Federal Water Pollution Control Act (Clean Water Act)	The Clean Water Act has the objective of restoring and maintaining the chemical, physical, and biological integrity of water of the United States. The Act creates the federal framework on which the delegated National Pollution Discharge Elimination System program is patterned.
33 USC Sections 2701 through 2762 Federal Oil Pollution Act of 1990	The Federal Oil Pollution Act provides for the Federal and State Natural Resource Trustees to collect natural resource damages from responsible parties when there has been an injury to, destruction of, or loss of natural resources as a result of a discharge of oil. These provisions also establish the federal oil spill fund, which allows the federal and state Natural Resource Trustees to seek reimbursement from the fund for damages to natural resources. TCEQ is one of three state Natural Resource Trustees for Texas.
42 USC Sections 2014, 2021, 2022, 2011, 2113, NS 2114 Atomic Energy Act of 1954	The Atomic Energy Act of 1954 authorizes the regulation of the uses of nuclear materials and facilities. The Act requires the Nuclear Regulatory Commission (NRC) to establish standards for the possession, use, handling, and disposal of nuclear materials and allows the NRC to enter an agreement with a state to cede authority to the state to implement certain regulatory programs under the act as long as the state maintains a regulatory program compatible to the NRC’s requirements. Texas is an agreement state.
42 USC Sections 2021b through 2021j Low-Level Radioactive Waste Policy Act	The Low-Level Radioactive Waste Policy Act and its subsequent amendment give the states responsibility for the disposal of low-level radioactive waste within their boundaries and authorizes them to enter interstate compacts to create regional disposal facilities.
42 USC Sections 300f et seq. Federal Safe Drinking Water Act	The Federal Safe Drinking Water Act gives authority to regulate public water systems and ensure U.S. Environmental Protection Agency’s (EPA) safe drinking water requirements are met in Texas. Additionally, Sections 300h through 300h-8 apply to underground injection wells and allow a state to implement an underground injection control program that meets the minimum federal requirements.
42 USC Sections 6901 through 6992k Solid Waste Disposal Act (Resource Conservation and Recovery Act)	The Resource Conservation and Recovery Act (RCRA) governs the management and disposal of solid wastes. Under RCRA, EPA has promulgated federal standards for the generation, transportation, treatment, storage, and disposal of nonhazardous solid wastes (RCRA Subtitle D) and hazardous solid wastes (RCRA Subtitle C). TCEQ is authorized to implement RCRA Subtitle D for nonhazardous municipal and industrial solid waste under TCEQ’s jurisdiction in Texas. TCEQ executive director is the administrator of Texas’ approved hazardous waste program which implements RCRA Subtitle C in Texas. TCEQ regulates hazardous municipal and industrial solid waste under TCEQ’s jurisdiction and is the permitting authority for all hazardous waste treatment storage and disposal facilities in Texas. In addition, Texas is approved to administer the underground storage tank program, under RCRA, Subtitle I, which regulates underground storage tanks containing hazardous substances and petroleum products.

Citation / Title	Authority / Impact on Agency
<p>42 USC Sections 7401 through 7671g</p> <p>Air Pollution Prevention and Control (Federal Clean Air Act)</p>	<p>The Federal Clean Air Act (CAA) establishes the federal program for air-pollution prevention and control. It provides for air quality and emissions limitations (e.g., air quality control regions, national ambient air quality standards, state implementation plans, new-source performance standards, emission standards for hazardous air pollutants); establishes programs for the prevention of significant deterioration and nonattainment permits, emissions standards for moving vehicles (including engine and fuel standards), and acid deposition control; the federal operating permit program (Title V); and other programs not administered by the states (Title VI— Stratospheric Ozone Protection). TCEQ administers the federal air permitting programs, (i.e., Title V, New Source Review permits).</p>
<p>42 USC Sections 9601 through 9675</p> <p>Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA)</p>	<p>CERCLA provides broad federal authority and requirements for coordination with the states for responding directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Additionally, CERCLA establishes prohibitions and requirements concerning closed and abandoned hazardous waste sites, provides for the liability of persons responsible for releases of hazardous substances at these sites, establishes a fund for cleanup when no responsible party can be identified, and provides for the restoration of natural resources.</p>
<p>42 USC Sections 11001 through 11050</p> <p>The Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)</p>	<p>EPCRA was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. The provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment.</p>
<p>Texas Government Code (TGC) Chapter 418</p> <p>Emergency Management</p>	<p>This chapter establishes the authority of the governor and the Texas Division of Emergency Management to prepare for and manage emergencies and disasters that affect the state. It also establishes state agencies as members of the State Emergency Management Council and lays out responsibilities in emergencies.</p>
<p>TGC Chapter 421</p> <p>Homeland Security</p>	<p>This chapter specifies TCEQ as a member of the Texas Homeland Security Council and lays out responsibilities related to security and critical infrastructure protection.</p>
<p>TGC Section 2107.003</p> <p>Collection of Delinquent Obligations to State/Collection by Attorney General or Outside Agent</p>	<p>This section provides authority to collect fiscal debts owed the TCEQ.</p>
<p>TGC Section 2155.145</p> <p>Purchasing: General Rules and Procedures/Certain Purchases by Texas Commission on Environmental Quality</p>	<p>This section delegates to TCEQ purchasing functions relating to Texas Health and Safety Code (THSC) Chapter 361, Subchapters F and I.</p>
<p>THSC Chapter 341 Subchapter C</p> <p>Minimum Standards of Sanitation and Health Protection Measures/Sanitary Standards of Drinking Water; Protection of Public Water Supplies and Bodies of Water</p>	<p>This subchapter preserves the public health, safety, and welfare by requiring TCEQ to ensure systems that supply public drinking water do so in adequate quantities, are financially stable, and are technically sound. The chapter prescribes a review and approval process to be applied prior to the construction and operation of a new public water system and establishes administrative, civil, and criminal penalties for noncompliance.</p>

Citation / Title	Authority / Impact on Agency
THSC Chapter 361 Solid Waste Disposal Act	This chapter safeguards public health, welfare, and physical property and protects the environment by controlling the management of solid waste. The chapter authorizes and requires TCEQ to control all aspects of the management of municipal and industrial solid waste and hazardous waste and establishes fees and a permitting system for the administration of this responsibility. The chapter includes provisions authorizing and setting forth procedures for the investigation and remediation of certain sites contaminated by hazardous substances and for other remediation and recycling programs.
THSC Chapter 363 Municipal Solid Waste	This chapter establishes a cooperative framework among federal, state, and local governments and private enterprise for reductions in the generation of solid waste generation and its proper management, including disposal and processing to extract usable materials or energy. Subchapter C creates the Municipal Solid Waste Management and Resource Recovery Advisory Council.
THSC Chapter 364 County Solid Waste	This chapter authorizes a cooperative effort by counties, public agencies, and other authorities and individuals for the safe and economical collection, transportation, and disposal of solid waste to control pollution in the state. Section 364.012(f) prohibits TCEQ from granting an application for a permit to process or dispose of municipal or industrial solid waste where prohibited by ordinance (with one exception).
THSC Chapter 365 Litter	This chapter safeguards public health, welfare, and physical property and protects the environment by controlling the management of litter and other solid waste. The chapter authorizes TCEQ to adopt rules and standards regarding the processing and treatment of litter disposed in violation of this chapter and includes criminal penalties for violation of those rules, standards, or statutory provisions.
THSC Chapter 366 On-Site Sewage Disposal Systems (OSSF)	This chapter requires that TCEQ regulate the construction, installation, alteration, repair, or extension of OSSF. The agency is authorized to enact fees, issue permits, and impose penalties in its efforts to eliminate and prevent health hazards from these systems. TCEQ is required to license or register persons who install and maintain OSSFs.
THSC Chapter 367 On-Site Wastewater Treatment Research	This chapter allows TCEQ to accept grants and donations and award competitive grants to support research to improve the quality of wastewater treatment and reduce the cost of providing wastewater treatment to consumers, including wastewater reuse. Section 367.010 directs the agency to collect a \$10 fee on all on-site wastewater treatment permit applications and enforce the collection of the fee by certain local governments. The fee is deposited to the credit of the water resources management account.
THSC Chapter 369 Plastic Containers	This chapter requires that the appropriate symbol be placed on plastic containers to indicate the resin used to produce the container. The chapter also provides for civil penalties. The commission is required to maintain a list of the appropriate symbols and may approve other symbols.
THSC Chapter 370 Toxic Chemical Release Reporting	This chapter requires facilities that use toxic chemicals in excess of a threshold amount to submit a "toxic chemical release" form and accompanying fee to the agency. The purpose of the form is to inform the public and communities surrounding the facilities.
THSC Chapter 371 Used Oil Collection, Management, and Recycling	This chapter authorizes TCEQ to adopt rules governing the registration and reporting requirements of used-oil handlers other than generators. The chapter also authorizes the agency to adopt rules and procedures necessary to implement the used-oil recycling program, and includes registration and reporting requirements for used-oil filter transportation, storage, and generation and requires the agency to adopt rules relating to financial responsibility.

Citation / Title	Authority / Impact on Agency
THSC Chapter 372 Environmental Performance Standards for Plumbing Fixture Standards	This chapter requires TCEQ to maintain a list of manufacturers for plumbing fixtures that meet the standards set out in the statute.
THSC Chapter 374 Dry Cleaner Environmental Response	This chapter establishes an environmental regulation and remediation program for dry cleaning facilities and dry cleaning drop stations in Texas. Under the program, operating dry cleaning facilities and drop stations pay registration and solvent fees into a fund that is then used by TCEQ to investigate and clean up eligible contaminated dry cleaning sites.
THSC Chapter 382 Texas Clean Air Act	This chapter establishes the Texas Clean Air Act to safeguard the state's air resources from pollution, consistent with the protection of public health, general welfare, and physical property, including the aesthetic enjoyment of air resources by the public and the maintenance of adequate visibility. The chapter establishes authority for air quality planning and a comprehensive permitting system applicable to a variety of facilities that emit pollutants as well as other authority to meet federal obligations established in the FCAA, 42 USC, Sections 7401 through 7671q.
THSC Chapter 384 Area Emission Reduction Credit Organizations	This chapter allows the establishment of organizations to promote the creation, trading, and tracking of emission reduction credits in nonattainment areas. TCEQ has oversight authority to approve the initial establishment, withdraw approval, dissolve, renew, and to audit an area emission-reduction credit organization.
THSC Chapter 386 Texas Emissions Reduction Plan (TERP)	This chapter establishes TERP, which funds emissions reductions projects throughout Texas. TERP includes air quality research support, regional air monitoring, air quality planning activities, and a contract with the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station for computation of creditable statewide emissions reductions.
THSC Chapter 387 Air Quality Research Support Program (AQRP)	This chapter establishes the air quality research support program and provides funding for the AQRP for the purposes of conducting studies related to Texas air quality in the areas of emissions inventory development, atmospheric chemistry, meteorology, and air quality modeling.
THSC Chapter 390 Clean School Bus Program	This chapter establishes the Clean School Bus Program, administered by TCEQ, to reduce the exposure of schoolchildren to diesel exhaust in and around school buses through technology that reduces diesel emissions.
THSC Chapter 391 New Technology Implementation for Facilities and Stationary Sources	This chapter establishes the New Technology Implementation for Facilities and Stationary Sources grant program, administered by TCEQ, to provide incentives for the implementation of emissions-reduction technologies for facilities and stationary sources.
THSC Chapter 392 Texas Clean Fleet Program	This chapter establishes the Texas Clean Fleet Program, administered by TCEQ, to provide incentives for the replacement of diesel-powered fleet vehicles with alternative-fueled or hybrid vehicles.
THSC Chapter 393 Alternative Fueling Facilities Program	This chapter establishes the Alternative Fueling Facilities Program, administered by TCEQ, to provide incentives for the establishment of fueling facilities in the clean transportation zone for alternative fuels, including: biodiesel, compressed natural gas, liquefied natural gas, propane, hydrogen, electricity, or a mixture of fuels containing at least 85% methanol by volume.
THSC Chapter 394 Texas Natural Gas Vehicle Grant Program (TNGVGP)	This chapter establishes the TNGVGP administered by TCEQ. TNGVGP provides incentive funding for the replacement or repower of existing heavy-duty or medium-duty motor vehicles with natural-gas vehicles to be operated in the clean transportation zone for at least 75% of its annual use.

Citation / Title	Authority / Impact on Agency
THSC Chapter 395 Government Alternative Fuel Fleet Program	This chapter establishes a grant program to be implemented and administered by TCEQ to incentivize state agencies and political subdivisions to purchase alternative fuel vehicles.
THSC Chapter 401 Radioactive Materials and Other Sources of Radiation	This chapter authorizes a program that will ensure the effective regulation of sources of radiation for protection of occupational and public health and safety and the environment. The chapter also promotes the orderly regulation (in the state, among states, and between the federal government and the state) of sources of radiation to minimize regulatory duplication. The chapter establishes a licensing and registration system applicable to persons who manufacture, produce, transport, own, process, or dispose of a source of radiation not exempted by law. TCEQ has jurisdiction to regulate and license the disposal of radioactive substances; the recovery or processing of source material, the processing and disposal of by-product material, the commercial storage or processing of radioactive substances (except oil and gas naturally occurring radioactive material (NORM) waste), the disposal of radioactive substances (except oil and gas NORM waste), low-level radioactive waste disposal sites, and NORM waste.
THSC Chapters 505, 506, and 507 Manufacturing Facility Community Right-to-Know Act, Public Employer Community Right-to-Know Act, and Nonmanufacturing Facility Community Right-to-Know Act	These chapters ensure information regarding the presence of hazardous chemicals is accessible and provided to emergency responders and available for public disclosure. The chapters require a facility operator to compile and maintain a Tier II (two) form that contains information on certain highly toxic or extremely hazardous chemicals present in the facility in certain quantities. The facility operator is required to submit the Tier II form annually to TCEQ and the appropriate local fire department or emergency planning committee.
THSC Section 753.008 Flammable Liquids/Enforcement	This section gives TCEQ concurrent jurisdiction with the Texas State Board of Insurance regarding the inspection of initial installation and other administrative supervision of above-ground storage tanks. TCEQ has primary authority for inspection of initial installation of the tanks and is required to report all violations of the chapter regarding such tanks to the state fire marshal for enforcement proceedings.
THSC Chapter 1101 Environmental, Health, and Safety Audit Privilege Act	This chapter establishes audit privilege and provides immunity from penalties for regulated entities to encourage voluntary compliance with environmental and occupational health and safety laws.
Texas Local Government Code (TLGC) Sections 212.0101 and 232.0032 Additional Requirements: Use of Groundwater	These sections require TCEQ, to establish by rule the appropriate form and content of a certification to be attached to a plat application under the section as well as requirements for the certifications to be transmitted to the Texas Water Development Board (TWDB) and any applicable groundwater conservation district.
TLGC Chapter 375 Municipal Management Districts in General	This chapter governs the creation and regulation of municipal management districts and outlines the role and authority of TCEQ regarding such districts.
Texas Natural Resources Code Chapter 40 Oil Spill Prevention and Response Act of 1991	This chapter establishes the Texas General Land Office as the agency with primary response obligations for unauthorized oil spills, but includes provisions allowing other state agencies, such as TCEQ, to carry out response and cleanup operations related to the unauthorized discharge of oil. Additionally, TCEQ is a Natural Resource Trustee, and this chapter allows the Texas General Land Office, on behalf of the Natural Resource Trustees, to seek reimbursement from the federal oil-spill fund for damages to natural resources.

Citation / Title	Authority / Impact on Agency
Texas Occupations Code (TOC) Chapter 53 Consequences of Criminal Convictions	This chapter gives TCEQ authority to suspend or revoke a license, disqualify a person from receiving a license, or deny a person the opportunity to take a licensing examination on the grounds that the person has been convicted of: (1) an offense that directly relates to the duties and responsibilities of the licensed occupation; (2) an offense listed in Article 42A.054, Code of Criminal Procedure; or (3) a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.
TOC Chapter 1903 Irrigators	This chapter gives TCEQ authority to license and regulate irrigators.
TOC Chapter 1904 Water Treatment Specialists	This chapter gives TCEQ authority to license and regulate water treatment specialists.
Texas Tax Code (TTC) Section 11.31 Taxable Property and Exemptions/ Pollution Control Property	This section creates a tax exemption for pollution control equipment. TCEQ is required to determine whether and what proportion of the subject property is used for pollution control and to establish rules to make such determinations.
TTC Section 26.045 Assessment/Voter-Approval Tax Rate Relief for Pollution Control Requirements	This section creates tax rate adjustments for pollution-control equipment. TCEQ is required to determine the applicability of the adjustment and is required to establish rules to make such determinations.
TTC Section 151.355(5) Limited Sales, Excise, and Use Tax/Water-Related Exemptions	This section creates a tax exemption for equipment, services, or supplies used solely to construct or operate a water or wastewater system certified by TCEQ as a regional system.
TTC Section 548.3065 Compulsory Inspection of Vehicle/Administrative Penalty	This section provides authority to assess an administrative penalty on a person in the amount of not more than \$500 for each violation.
Texas Water Code (TWC) Chapter 5 TCEQ	This chapter defines the organizational structure of TCEQ, and its duties, responsibilities, authority, and functions. The chapter also establishes the Office of the Executive Director to manage the agency's administrative affairs and establishes environmental permitting procedures and fees, and standards for evaluating and using compliance history. This chapter also establishes the Environmental Testing Laboratory Program.
TWC Chapter 7 Enforcement	This chapter sets forth the duties and obligations of the commission and the executive director to institute legal proceedings and to compel compliance with the relevant TWC and THSC provisions, and sets forth rules, orders, permits, or other decisions of the commission. The chapter also authorizes the imposition of administrative, civil, and criminal penalties.
TWC Chapter 11 Water Rights	This chapter establishes a permitting system for the appropriation of surface water administered by the commission and provides for adjudication of claims by state district courts. It provides authority for the water rights permitting and Watermaster programs. The chapter also authorizes the imposition of administrative and civil penalties.
TWC Chapter 12 Provisions Generally Applicable to Water Rights	This chapter addresses general powers and duties relating to water rights, federal projects and dam safety, oversight of districts, and disposition of fees.

Citation / Title	Authority / Impact on Agency
TWC Chapter 13 Water Rates and Services	This chapter is shared between the Public Utility Commission and TCEQ and provides authority to regulate water and wastewater utilities. TCEQ may regulate water and sewer utilities within its jurisdiction to ensure safe drinking water and environmental protection. This chapter also authorizes the imposition of administrative and civil penalties.
TWC Section 16.236 Construction of Levee Without Approval of Plans; Levee Safety	This section requires the commission to review levee projects and adopt rules, issue emergency orders, and hear appeals of decisions by cities or political subdivisions approving dam or levee projects.
TWC Section 16.237 Provisions Generally Applicable to Water Development/ Administrative Penalty; Civil Remedy	This section authorizes the commission to impose administrative, civil, and criminal penalties.
TWC Chapter 18 Marine Seawater Desalination Projects	This chapter establishes an expedited wastewater permitting process for marine seawater desalination facilities and provides an expedited water rights permitting process for applications in coastal areas and the Gulf of Mexico.
TWC Chapter 26 Water Quality Control	This chapter requires TCEQ establish the level of water quality to be maintained and to protect the quality of water in the state. The chapter provides that waste discharges or impending waste discharges are subject to reasonable rules or orders adopted or issued by the commission. The chapter creates the Texas Groundwater Protection Committee.
TWC Chapter 27 Injection Wells	This chapter establishes a policy of the state to maintain the quality of its fresh water and the regulation and permitting of underground injection control wells subject to the jurisdiction of TCEQ or the Railroad Commission of Texas (RRC).
TWC Chapter 28 Water Wells and Drilled or Mined Shafts	This chapter establishes permitting requirements for water wells and drilled or mined shafts.
TWC Chapter 28A Registration and Inspection of Certain Aggregate Production Operations (APOs)	This chapter requires TCEQ to ensure the registration and inspection of certain APOs and authorizes a fee. The chapter also authorizes TCEQ to assess penalties for registration violations and requires TCEQ to include information about its surveys and inspections in its annual enforcement report.
TWC Chapter 30 Regional Waste Disposal	This chapter gives TCEQ authority to exercise continuing supervision over regional plans for water quality management control, and abatement of pollution under the chapter.
TWC Chapter 31 Subsurface Excavations	This chapter gives TCEQ authority to issue a permit to allow a person to drill, excavate, or otherwise construct a subsurface excavation.
TWC Chapter 32 Subsurface Area Drip Dispersal System	This chapter establishes permitting requirements for subsurface area drip dispersal systems.
TWC Chapter 35 Groundwater Studies	This chapter requires coordination between the Texas Water Development Board and TCEQ and authorizes the agency to evaluate and designate priority groundwater management areas.

Citation / Title	Authority / Impact on Agency
TWC Chapter 36 Groundwater Conservation Districts (GCDs)	This chapter authorizes the creation of GCDs to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater, and to control subsidence. The chapter recognizes GCDs as the state's preferred method of groundwater management. The chapter authorizes TCEQ to facilitate the creation of GCDs and to review GCD performance and take administrative action regarding GCD management plan development, coordination, and implementation when necessary.
TWC Chapter 37 Occupational Licensing and Registration	This chapter requires the commission to adopt rules for licenses and registrations prescribed by TWC Sections 26.0301, 26.3573, 26.452, and 26.456; THSC Sections 341.033, 341.034, 361.027 and 366.071; and TOC Section 1903.251.
TWC Chapters 41, 42, 43, 44, and 46 Rio Grande Compact, Pecos River Compact, Canadian River Compact, Sabine River Compact and Red River Compact	These chapters provide for the administration of each of the five river compact commissions, which represent the State of Texas and protect Texas' right to equitable shares of interstate water.
TWC Chapter 49 through 59, 65, and 66 Provisions Applicable to Water Districts	These chapters govern the creation and general oversight of water districts and outlines the role and authority of TCEQ. Chapter 49 provides for the general supervision of water districts. The other chapters provide for water control and improvement districts, metropolitan water control and improvement districts and subdistricts, underground water conservation districts, fresh water supply districts, municipal utility districts, water improvement districts, drainage districts, levee improvement districts, irrigation districts, regional districts, special utility districts, and stormwater control districts.

### Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
<a href="#">JC-0372</a>	JC-0372 recognizes that the pollution control property tax exemption in Tax Code Section 11.31 applies to both add-on pollution-control devices and methods of production that limit pollution at new facilities. TCEQ implements the program in conformance with the statute and the Attorney General opinion.
<a href="#">KP-0078</a>	KP-0078 recognizes that Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) funds are federally appropriated and subjecting the trust fund to further appropriation by the state would appear to stand in contravention of the intent of the RESTORE Act. A rider in the 2015 General Appropriations Act that would have subjected RESTORE funds to the state appropriations process has no effect on these funds. Further, the opinion allows RESTORE funds to be deposited in a Trust outside the State Treasury, with the Comptroller serving as trustee.

**B. Provide a summary of significant legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass but were significant, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency. See Exhibit 15 Example.**

### Exhibit 15: 87th Legislative Session

#### Legislation Enacted

Bill Number	Author	Summary of Key Provisions
HB 963 SB 645	Lozano Zaffirini	The Act relates to the Texas natural gas vehicle grant program and provides that used vehicles may also be eligible.
HB 1284	Paddie	The Act gives the RRC sole jurisdiction to regulate the injection and geologic storage of carbon dioxide (CO <sub>2</sub> ) in Texas. Applicants will be required to obtain a letter of determination from TCEQ stating whether the proposed injection would impact any injection wells permitted by TCEQ and the associated waste plumes with those wells.
HB 1680	Smith	The Act requires TCEQ's OSSF program to consider each tract of land owned by the federal government that is leased out to be considered as separate tracts of land under THSC Chapter 366 and any rules adopted under THSC Chapter 366.
HB 2004	Ashby	The Act relates to a limitation on liability and sanctions in connection with certain prescribed burns. It defines a "Burn Boss's" liability. TCEQ adopted the term "Certified and Insured Prescribed Burn Manager" under 30 TAC Section 111.
HB 2708	Patterson	The Act amends THSC permit funding, within General Revenue Dedicated Hazardous and Solid Waste Remediation Account No. 550, to be used for the remediation of certain former battery recycling facilities.
HB 3717	Burns	The Act relates to the sale of a water or sewer utility system by a municipality without an election. It excludes a municipality from the requirement to hold an election to authorize the sale of a municipal retail water or sewer utility system if TCEQ has issued a Notice of Violation to the utility system, and the governing body of the municipality finds by official action that the municipality is either financially or technically unable to restore the system to compliance with applicable laws or regulations.
HB 4472	Landgraf	The Act deposits the title fee to the Trust Fund, allocates 35% from the TERP Trust Fund to the state highway fund for congestion mitigation projects, and allocates the balances at the end of the biennium to the state highway fund.
SB 3	Schwertner	The Act relates to preparing for, preventing, and responding to weather emergencies and power outages and increases the amount of administrative and civil penalties. The Act creates the Texas Energy Reliability Council for which TCEQ's presiding officer is a member. Affected utilities are required to create Emergency Preparedness Plans (EPPs). TCEQ will participate in the council, provide technical assistance for creation of EPPs, and enforce the applicable EPP requirements.
SB 15	Nichols	The Act relates to the Texas Consumer Privacy Act Phase I. It restricts disclosure of personal information contained in motor vehicle records under the Motor Vehicle Records Disclosure Act, Chapter 730 of the TTC, and creates criminal offenses and increases the punishment for an existing criminal offense related to unauthorized disclosure. This Act adds a definition of authorized recipients of personal information and adds additional details to the list of information considered to be protected information.

Bill Number	Author	Summary of Key Provisions
SB 211	Zaffirini	The Act relates to judicial review of acts by TCEQ.
SB 600	Perry	The Act relates to an inventory of dams controlled by river authorities. The Act requires river authorities to submit operation and maintenance reports of their dams to TCEQ. This Act identifies the information that must be provided to TCEQ and requires TCEQ to make the information available on its website.
SB 601	Perry	The Act creates a Produced Water Consortium to study the economic, technological, environmental, and public health considerations for beneficial reuse of fluid oil and gas waste. TCEQ is required to assign a representative to the agency advisory council of the consortium by October 1, 2021 and meet with other members of the consortium as necessary to ensure the requirements of the statute are met.
SB 703	Buckingham	The Act removes the Texas Department of Agriculture (TDA) from the multi-agency coordination that previously existed between TDA, TCEQ and the Texas Parks and Wildlife Department regarding commercial aquaculture facilities located within the coastal zone and engaged in the production of shrimp. The Act requires a commercial aquaculture facility located within the coastal zone and engaged in the production of shrimp to provide a report to TCEQ instead of TDA.
SB 872	Hancock	The Act extends the Dry Cleaner Response Program until September 1, 2041 and makes conforming changes that outline the use of the Dry Cleaning Facility Release Fund after the expiration of the program.
SB 900	Alvarado	The Act creates a new safety standards certification program for storage vessels with a capacity over 21,000 gallons. It applies to regulated substance tanks located within a petrochemical plant, a petroleum refinery, or a bulk storage terminal. New registration and inspection requirements are created for approximately 36,000 tanks and requires agency rulemaking and creating applications, guidance documents, websites, a database, and fees.
SB 952	Hinojosa	The Act relates to plot plan requirements for an application for a standard permit for a concrete batch plant issued by TCEQ.
SB 1818	Zaffirini	The Act creates a recycling defense for certain scrap metal transactions and establishes affirmative defense for arrangers and transporters from responsibility for solid waste for certain scrap metal recycling transactions occurring on or after November 29, 1999.

### Legislation Not Passed

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 50	Johnson, Jarvis	The bill relates to the issuance of an air quality permit for a concrete plant located in an area of a municipality not subject to zoning regulations. It would add language for plants located in incorporated areas that is not subject to zoning regulations. This bill did not get a committee hearing.
HB 56 SB 953	Johnson, Jarvis Hinojosa, Chuy	The bills relate to prohibiting the operation of concrete plants and crushing facilities at certain locations. They would expand distance requirements from 440 yds to 880 yds. These bills did not get a committee hearing.
HB 65	Johnson, Jarvis	The bill relates to the requirements for notice of a standard permit for certain concrete plants. It would add language for all concrete applicants to mail written notice to each household within 880 yds. This bill did not get a committee hearing.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 70	Swanson	The bill relates to legislative review and approval of certain agency rules. This bill would apply to non-emergency rules with an economic impact of \$20 million or more and would require that the state agency must provide a copy of the proposed rule to the legislature for review. It provides that a proposed rule is approved if the vote is unanimous by the full committee, otherwise, the rule is suspended. The bill was left pending in committee.
HB 242	Zweiner	The bill relates to the authority of TCEQ to require water pollution abatement plans from certain facilities regulated by the RRC. The bill would have authorized TCEQ to require a water pollution abatement plan from owners and operators of a facility used in connection with exploration, development, or production of oil, gas, or geothermal resources regulated by RRC if the facility was located within the recharge zone of the Edwards Aquifer. This bill was left pending in committee.
HB 271	Murr	The bill relates to the procedure by which a state agency may issue an opinion that a watercourse is navigable. The bill would establish a public notice, meeting, and comment process for the navigability determination and allow a party to appeal an agency's opinion in District Court. adds language determining what is a navigable waterway. Requiring surveys and GLO opinion. Also provide written notice to surrounding landowners. With public meetings to follow. This bill would require TCEQ to revise its internal policies and procedures to incorporate this new function for determining navigability. It would also require TCEQ to do rulemaking. This bill did not get a committee hearing.
HB 286	Cortez	The bill relates to the eligibility for grants for alternative fueling facilities. This bill was left pending in the Local & Consent calendar committee.
HB 291	Murr	The bill would have required APOs to implement best management practices and remediation. The bill was left pending in committee.
HB 303	Collier	The bill relates to testing for lead contamination in public school drinking water. Related to the Safe Water Drinking Act, the bill would require tests for lead and water quality in schools. The bill did not receive a committee hearing.
HB 2038	Talarico	The bill relates to lead in drinking water at schools and childcare facilities. The bill would require replacement of lead service lines, testing and remediation of drinking water outlets, and for the commission to issue technical guidance. The bill was left pending in committee.
HB 355	Lopez	The bill relates to providing notice to a state representative and senator of an administrative penalty assessed by TCEQ. The bill would have added a requirement for the commission to notify the State Representative and State Senator who represent the area where the violation for which a penalty is being assessed occurred and to provide notification of the proposed order or agreement and of the commission's decision on the order or agreement. The bill was left pending in committee.
HB 416	Walle	The bill relates to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality. Identical to SB 952, it would require the applicant to include a detailed plot of the proposed concrete facility. This bill was postponed on the House floor.
HB 711 SB 126	Perez Johnson	The bills relate to performance standards for certain aboveground storage tanks. The bills would have required chemical storage tanks at facilities to be more resilient against natural and industrial disasters. The bills would have instructed TCEQ to adopt more stringent standards for tanks in areas vulnerable to extreme weather events. The bills were left pending in committees.
HB 767	Huberty	The bill would require TCEQ to adopt best management practices for APOs and make them available on TCEQ's website. The bill was left pending in committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 858 SB 1981	Dutton Miles	The bills propose to require TCEQ to set each carcinogenic risk level used in the development of a protective concentration level, risk-based exposure limit, or any other remediation standard, including the Texas Risk Reduction Program or a similar program established by TCEQ, at a rate not greater than one in a million. These bills were left pending in house and senate committees.
HB 889 SB 1166	Dutton Campbell	These bills relate to who may request a public hearing from the TCEQ related to the construction of a concrete plant. The bills would add language defining a "representative" of a school, place of worship, licensed day-care, hospital, or medical facility and provide that any hearing request by those entities must be by a representative of those entities. These bills were left pending in committee.
HB 1267	Walle	This bill relates to who may request a public hearing from the TCEQ related to the construction of a concrete plant. The bill provides that the commission shall adopt rules to establish who qualifies as a "representative" of a school, place of worship, licensed day-care center, hospital, or medical facility and that any hearing request by those entities must be by a representative of those entities. The bill was left pending in committee.
HB 960	Allen	The bill relates to the location of certain public meetings for certain permits issued by the Texas Commission on Environmental Quality. This bill would require public meetings to be held in TX House district where facility is located or proposed. This bill was left pending in House Calendars committee.
HB 968	Dutton	The bill relates to public comments on matters subject to a hearing under the jurisdiction of the Texas Commission on Environmental Quality. This bill adds language for the commission to consider all public comments when deciding on applications. This bill did not receive a committee hearing.
HB 969	Dutton	The bill relates to the definition of "affected person" for purposes of a contested case hearing held by or for the Texas Commission on Environmental Quality regarding certain environmental permit applications. It would add language for legislators to be considered as affected persons during contested case hearings. This bill did not receive a committee hearing.
HB 1143	Ramos	The bill requires TCEQ to publish available monitoring data and assessment results related to pathogens and pathogen indicators collected from freshwater bodies on TCEQ website. The bill lists monitoring and assessment results collected from lakes, bays, springs, rivers, streams, creeks, inlets and other bodies of fresh water commonly used for swimming, fishing, or other types of recreation as applicable to the bill. The bill was on the house local and consent calendar.
HB 1289	Reynolds	The bill relates to notice of certain accidental discharges or spills to local government officials by TCEQ. The bill would have required TCEQ to notify local government officials of certain accidental discharges/spills. This bill was left pending in committee.
HB 1534	Reynolds	The bill would require TCEQ to adopt, charge, and collect a \$5 per ton of CO2 equivalent annual fee on each facility permitted under THSC Section 382.05185. The bill was left pending in committee.
HB 1544	Guillen	The bill would create a tax incentive for eligible sand mining operations to establish and implement reclamation standards and plans. The bill was passed by the legislature but vetoed by the governor.
HB 1627 SB 1350	Thompson Miles	The bills relate to the issuance of air quality permits for concrete plants located in certain areas. The bills were left pending in committees.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 1683 SB 1763	Landgraf Springer	The bills relate to the enforcement of certain federal laws regulating oil and gas operations within the state of Texas. HB 1683 was sent to the Senate. SB 1763 was reported out of committee.
HB 1721	Reynolds	The bill relates to a study by TCEQ of air contaminants in residential areas in certain counties. The bill was left pending in committee.
HB 1786 SB 368	Thierry Miles	The bills relate to the issuance of air quality permits for concrete plants located in certain areas. The bills were left pending in committee.
HB 1810 SB 928 SB 729	Capriglione Zaffirini Johnson	The bills relate to maintenance and production of electronic public information under the Public Information Law. The bills were left pending in committee.
HB 1820	Zwiener	The bill relates to the regulation, monitoring, and enforcement of matters under the jurisdiction of TCEQ, and authorizing the assessment or increase of civil or administrative penalties. Bill was left pending on the General State Calendar.
HB 1821	Zwiener	The bill would require TCEQ and the state climatologist to develop a report on the potential impact of climate change on the state every four years. This report would address scientific predictions and uncertainties regarding climate change, the impacts of climate change on multiple sectors, and any economic opportunities potentially arising from climate change challenges. The first report would be due June 1, 2022. The bill was left pending in committee.
HB 1912 SB 1209	Wilson Schwertner	The bills relate to air quality permits for APOs and concrete batch plants. The bills were left pending in committees.
HB 1947 SB 1913	Ordaz Perez Blanco	The bills relate to the permitting of medical waste facilities by the Texas Commission on Environmental Quality. The bills would require TCEQ to notify state and county officials of new permits and renewals and provide that a permit cannot be granted until compliance. The Senate bill was left pending in committee. The House bill was placed on General State Calendar and not called.
HB 2019 SB 699	Hefner Hughes	The bills relate to a study of the conversion of surface mine pits and quarries to water storage reservoirs to enhance this state's available water supply. The bills would identify which rock quarries and mines could be used as water storage reservoirs in the future. Both bills were left pending in committees.
HB 2099	Schaefer	The bill would limit the disclosure of personal information in connection with a motor vehicle record to use by government entities, in conjunction with court proceedings, and for use by employer or insurers. The bill was left pending in committee.
HB 2136	Thompson, Ed	The bill relates to marine vessel projects in the diesel emissions reduction incentive program. This bill was left pending in House committee.
HB 2140	Thompson, Ed	The bill relates to the administration of and funding for the Texas emissions reduction plan. This bill was left pending in House committee.
HB 2148	Stephenson	The bill relates to notice of contamination of a public water supply to certain water providers by the Texas Commission on Environmental Quality. TCEQ shall notify PWS owners and operators that their source of water is contaminated with <i>Naegleria fowleri</i> (amoeba) no later than notifying media outlets. This bill was removed from the Senate local calendar.
HB 2206	Talarico	The bill would require TCEQ to adopt rules and regulations to require reporting and verification of GHG emissions. Goals for reducing greenhouse gas (GHG) emissions in 2050, 2040 and 2030 are included in the bill. The bill was left pending in committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 2221	Canales	The bill would create the Texas Transportation Electrification Council with senior-level staff of certain state agencies, including TCEQ, to assess, plan, and provide policy recommendations for the development of electric charging infrastructure in Texas through 2040. The bill was sent to house calendars.
HB 2368	Morales Shaw	The bill relates to the participation by local governments in water quality control measures. This bill was left pending in House committee.
HB 2369	Morales Shaw	The bill relates to the shutdown during a weather-related disaster of facilities that have reported emissions events to TCEQ. The bill would have required that TCEQ adopt rules to implement a system of staggered shutdowns for regulated entities, in the event of a state or federally declared weather-related disaster. The rules would have applied to regulated entities that are required to report emissions events under THSC Section 382.0215. This bill was left pending in committee.
HB 2423	Davis	The bill specifies the inspection and maintenance (I/M) programs apply to gas powered vehicles that are required to be registered in certain counties and are model year 1997 or later. The bill was sent to the house local and consent calendar.
HB 2426	Murr	The bill relates to water quality protection areas. The bill would have expanded the pilot program originally established for quarries in the John Graves Scenic Riverway (Brazos River Basin) to include the "Coke Stevenson Scenic Riverway" (Colorado River Basin). This would have required visual inspections and water sampling activities each calendar year. This would also have required permitting (individual permit or a general permit based on the proximity to the river), financial responsibility, inspections, sampling, cost recovery, and enforcement programs. The bill was left pending in committee.
HB 2468 SB 1454	Thompson Alvarado	The bills would allow TERP funds to be used for the purchase, maintenance, upgrade, and operation of air monitoring equipment in certain areas. The bills would increase Air Quality Research Project (AQRP) funds to \$1 million (from \$750,000) and increase TCEQ research funds to \$5 million (from \$2.5 million). Both bills were left pending in Senate committee.
HB 2539	Turner	The bill relates to the distribution of funds designated for the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program (LIRAP). The bill would require TCEQ to distribute fees collected for LIRAP to counties for use in the Local Initiatives Projects program. The bill was sent to Senate committee.
HB 2540	Anchia	The bill would amend the Texas Transportation Code to prohibit modification of the exhaust emission system of a passenger car or light truck in a manner that the owner or operator knows or should know will increase the noise emitted above that emitted by the originally installed muffler. The bill was left pending in committee.
HB 2564	Crockett	The bill relates to mailed notice of the intent to obtain certain environmental permits. This bill would require TCEQ to mail notices (NOI) to persons within one mile of the proposed facility. This bill did not receive a committee hearing.
HB 2577	Kuempel	The bill relates to the light-duty motor vehicle purchase or lease incentive program. Bill would add motorcycles, not scooters. This bill was left pending in the Senate.
HB 2652 SB 1039	Larson Eckhardt	The bills relate to establishing an advisory board to study surface water and groundwater interaction and provide that TCEQ will make recommendations on board members based on expertise. The House bill was postponed, and the Senate version did not receive a committee hearing.
HB 2692 SB 1046	Landgraf Birdwell	The bills relate to the regulation of radioactive waste; reducing a surcharge; reducing a fee. The bill is identical to SB 1046 and defines storage capacity limits and proper disposal. The House bill was returned to committee and the Senate version was left pending on Senate intent calendar.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 2659	Rosenthal	The bill relates to reporting requirements for certain accidental spills or discharges. This bill would have required additional notification to the applicable county judge for spills and discharges. The bill was left pending in committee.
HB 2671	Guillen	The bill relates to the operations, communications, and notice procedures of state agencies and political subdivisions. The bill was sent to house local and consent calendar.
HB 2683 SB 924	Canales Zaffirini	The bills relate to requirements for open meetings that are broadcast over the internet or held by telephone conference or videoconference call. HB 2683 was sent to the Senate. SB 924 was left pending in committee.
HB 2710	Bowers	The bill relates to an exemption to the cancellation of a water right for nonuse. The bill was left pending in the Senate.
HB 2717	Landgraf	The bill relates to certain requirements for water systems. Instructs public water systems to contact their customers during and after a BWN. Also add section for weatherization. This bill did not receive a committee hearing.
HB 2811 SB 2110	Murphy Taylor	The bills relate to the release of a tier two form listing hazardous chemicals that is in the possession of a political subdivision of this state and would provide that a Tier Two form to be made available to the public. Both bills were left pending in committees.
HB 2877	Beckley	The bill relates to notice to elected officials of a widespread power, water, or natural gas outage or emergency. The bill would have required notification by email and telephone as soon as practicable after an electric utility, municipally owned utility, or electric cooperative experiences a widespread power outage or electric service emergency to various officials. Additionally, the bill would have required notification by email and telephone as soon as practicable after a retail public utility experiences a widespread water service outage or a widespread water service emergency to various officials. This bill was left pending in committee.
HB 2898	Lopez	The bill relates to notice required after an intentional shutoff of electric and water service. The bill would have required a notice by email or text messages to customers within three hours of an intentional outages from an electric utility, municipally owned utility, or electric cooperative in response to an emergency event. Additionally, the bill would have required notice by email or text messages to customers within three hours after a retail public utility intentionally shuts off water service in response to an emergency event. This bill was left pending in committee.
HB 2990	Morales Shaw	The bill relates to a requirement to make certain environmental and water use permit applications available online. Bill would require TCEQ to post copies of applications online rather than post them in newspapers NOIs. This bill was left pending in the Senate committee.
HB 3073	Shaheen	The bill relates to a requirement that state agencies make agency guidance documents accessible to the public. The bill was left pending in committee.
HB 3294 SB 1263	Bell, Cecil Birdwell	The bills relate to funding for the Texas emissions reduction plan. The House version was laid on table subject to call of the chair, and the Senate version went to conferees and not reported out.
HB 3387	Rogers	The bill relates to authorization of certain land applications and discharges into retention facilities of dairy waste. This bill would have enabled TCEQ to issue authorizations for land application of dairy waste. The bill was removed from the Senate local and uncontested calendar.
HB 3412	King, Tracy	The bill relates to the location and operation of certain concrete crushing facilities. This bill did not receive a committee hearing.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 3492	Frank	The bill would limit the assessment of taxes or fees by the state during the time the operation of a business or nonprofit is restricted by order, proclamation, or regulation during a declared state of disaster. The bill was left pending in committee.
HB 3650	Lucio	The bill relates to transferring back to TCEQ the water and wastewater utility programs that were transferred from TCEQ to the Public Utility Commission by legislation in the 83 <sup>rd</sup> Legislative Session back to TCEQ. The bill was sent to house calendars.
HB 3727	Middleton	The bill relates to the adoption of rules concerning certain on-site sewage disposal systems. The bill would have required TCEQ to adopt rules to allow for aerobic drip emitters systems to be installed on subdivided or platted single-family home properties that are smaller than one-half acre only when the drinking water to the property is provided by a public drinking water system. This bill was left pending in committee.
HB 3793 SB 861	Shaheen Paxton	The bills relate to remote meetings under the Texas Open Meetings Act. SB 861 was reported out of committee and HB 3793 was left pending in committee.
HB 3814 SB 2097	Hunter Zaffirini	The bills would have required individual permits for any facility where preproduction plastic is manufactured, handled or transported. The permit must prohibit the discharge and release of preproduction plastic to either a body of water or land outside of the facility's property line. Additionally, permittees would have been required to promptly clean up plastic presumed to have been discharged or released from the facility. The bills were left pending in committees.
HB 3858 SB 1304	Ordaz Perez Blanco	The bills relate to the provision by the Texas Commission on Environmental Quality of certain information in a language other than English. The bills would require TCEQ to respond to comments in language in which it was received and would include translations of notices and applications. The House bill was left pending in committee and the Senate version did not receive a committee hearing.
HB 3918	Romero, Jr.	The bill would amend the Texas Transportation Code by adding a new subsection that specifies motor vehicle muffler noise requirements and includes the muffler as one of the items inspected at an inspection station or by an inspector. The bill was left pending in committee.
HB 4146 SB 1747	Tracy O. King Zaffirini	The bills relate to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments or assessment units. The bills would have required TCEQ to perform the prescribed surface water quality data analysis to identify the classified stream segments and assessment units of classified stream segments to which the bill would have applied and implemented additional permitting prohibitions. HB 4146 was referred to the House and SB 1747 was left pending in committee.
HB 4253	Perez	The bill relates to the procedure for qualifying for the exemption from ad valorem taxation of pollution control property. The bill was left pending in committee.
HB 4384	Hefner	The bill relates to the replacement of the light-duty motor vehicle purchase or lease incentive program with the gas flaring and venting reduction program. TCEQ shall develop a grant for gas flaring and venting reduction in place of light-duty vehicles. This bill did not receive a committee hearing.
HB 4341	Biedermann	The bill relates to the transfer of regulation of APOs from TCEQ to RRC on delegation by the EPA, authorizes a fee, provides administrative penalties and other civil remedies, and creates a criminal offense. The bill was left pending in committee.
HB 4489	Zwiener	The bill would have placed restrictions on permits for direct discharge of waste or pollutants into water in certain zones of the Barton Springs segment of the Edwards Aquifer. The bill was left pending in committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 4478	Huberty	The bill would require APOs within 1,500 feet of the San Jacinto River to submit a certified restoration plan, certified reclamation plan, and demonstrate financial responsibility with their registration. The bill was left pending in committee.
HB 4524	Zweiner	The bill relates to the adoption of rules by the Texas Commission on Environmental Quality regarding the discharge into water in this state of produced water resulting from certain oil and gas activities. This bill did not receive a committee hearing.
SB 87	Miles	The bill relates to the consideration of the cumulative effects of air contaminant emissions in the emissions permitting process. TCEQ shall consider public health hazards within 3 miles for site of concern. This bill did not receive a committee hearing.
SB 125	Johnson, Nathan	The bill relates to the regulation of hydrofluorocarbons under the Texas Clean Air Act. It prohibits the sale, lease, rent, installation or otherwise cause any hydrofluorocarbon product or equipment to enter into commerce in Texas if that product or equipment consists of, uses, or will use a substitute. This bill did not receive a committee hearing.
SB 364	Miles	The bill relates to affirmative defenses for a TCEQ enforcement action for unauthorized emission or opacity events. This bill would have eliminated the affirmative defense by repealing four sections of the THSC. The bill was left pending in committee.
SB 365	Miles	The bill relates to applications for permits issued by the Texas Commission on Environmental Quality for certain new or expanded facilities in certain low-income and minority communities. Bill would require new applicants must submit to TCEQ an environmental justice report in order to determine if their proposed facility will be located in an environmental justice community. This bill did not receive a committee hearing.
SB 366	Miles	The bill relates to the minimum amount of an administrative penalty assessed by TCEQ for a violation of certain laws. This bill would have established a minimum penalty of \$250 per day per violation for facilities that fail to comply with certain environmental regulations. The bill was left pending in committee.
SB 684	Blanco	The bill relates to an affirmative defense to a TCEQ enforcement action for unauthorized emission events. This bill would have eliminated the affirmative defense by repealing two sections of the THSC. The bill was left pending in committee.
SB 765	Huffman	The bill relates to seller's disclosures regarding the proximity of certain residential real property to certain landfills and related facilities. This bill did not receive a committee hearing.
SB 1261	Birdwell	The bill relates to the exclusive jurisdiction of the state to regulate GHG emissions in this state and the express preemption of local regulation of those emissions. The bill was postponed by the house.
SB 1482	Zaffirini	The bill relates to the issuance of a permit for a municipal solid waste landfill facility located in a special flood hazard area. Redefines FEMA floodplains to "special flood hazard area" and prevents landfill applications from being approved in those areas. This bill did not receive a committee hearing.
SB 1559	Nichols	The bill would repeal transfer of Certificate of Title Fee revenue from the Texas Mobility Fund/Highway Fund to the TERP Trust Fund. The bill would also repeal the remittance of TERP fee revenue to the TERP Trust Fund outside of the Treasury, keeping the revenue in the TERP account/fund within the Treasury for appropriation. The bill was left pending in committee.
SB 1713	Hall	The bill would amend THSC and the Texas Transportation Code to eliminate the mandatory annual vehicle safety inspection program and to retain the fee revenue that was provided to the state from this program. The bill was left pending in committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
SB 1747	Zaffirini	The bill relates to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments or assessment units. This bill did not receive a committee hearing.
SB 1734	Springer	The bill relates to the enforcement of certain federal laws regulating oil and gas operations within the state of Texas. The bill was left pending in committee.
SB 1804	Johnson, Nathan	The bill relates to use of Texas emissions reduction plan funds for a small non-road engine purchase incentive program. This bill did not receive a committee hearing.
SJR 52	Birdwell	The joint resolution would establish the TERP fund outside the state treasury and allow funds to be spent without legislative appropriation. The joint resolution was left pending in committee.