

NCTCOG Materials Management
87TH SESSION LEGISLATIVE MATRIX



Bill	Author	Topic	Status	NCTCOG Staff Notes	Related Bills
HB 1	Bonnen	General Appropriations Bill	Referred to Appropriations Committee (3/1/2021)	Allocates funding to TCEQ for further allocation to the Council of Governments.	SB 1 (Senate Version)
HB 176	Zwiener	Relating to local government prohibitions or restrictions on the sale or use of a container or package.	Referred to Environmental Regulation Committee (2/25/2021)	Permits local governments or other political subdivision to adopt an ordinance, rule, or regulation to prohibit or restrict the sale or use of a container or package (for solid waste management purposes).	N/A
HB 631	Darby	Relating to local government and other political subdivision regulation of certain solid waste facilities.	Placed on General State Calendar (5/13/2021)	Adds subsection to Texas Health and Safety Code Section 361.095 . Applicant for a permit under this subchapter is not required to obtain a permit from a local government or other political subdivision as a prerequisite to a permit being issued by TCEQ.	N/A
HB 714	Reynolds	Relating to the establishment of the Texas Environmental Justice Advisory Council.	Referred to Environmental Regulation Committee (3/1/2021)	Creates Chapter 428 to the Texas Health and Safety Code and the Texas Environmental Justice Advisory Council, an 8-member council that advises state agencies and local governments on environmental justice issues and 15-member review board that advises the council.	N/A
HB 753	Cain	Relating to municipal solid waste management services contracts; limiting the amount of a fee.	Left pending in Environmental Regulation Committee (3/22/2021)	Limits the amount a municipality can charge a solid waste management provider to no more than 2% of the gross receipts of the provider for the sale of services. Link to handout provided to NCTCOG.	N/A

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HB 964	Darby	Relating to the treatment, recycling for beneficial use, or disposal of drill cuttings.	Passed House (4/23/2021), Removed from Local & Uncontested Calendar (5/26/2021)	Expands the Natural Resources Code to include a broader definition of drilling mud and the associated responsibilities after transferring used drill cuttings to another permit holder.	N/A
HB 1191	Goodwin	Relating to the creation of the Office of Environmental Justice within the Texas Commission on Environmental Quality	Referred to Environmental Regulation Committee (3/4/2021)	Creates the Office of Environmental Justice to protect the public health, general welfare, and physical property of environmental justice facilities in regard to the issuance of permits.	SB 1294 , Eckhardt
HB 1947	Ordaz Perez	Relating to permitting of medical waste facilities by the Texas Commission on Environmental Quality.	Placed on General State Calendar (5/13/2021)	Expands the requirements for the applicant of a medical waste disposal facility to send notice of application/intent to legislators, county commissioners, governing municipalities, and school districts. This bill would also prohibit a facility location within 500 feet from residences, schools, churches, public parks, and other facilities.	SB 1913 , Blanco
HB 2104	Campos	Relating to the county provision of solid waste disposal services.	Left pending in Environmental Regulation (4/19/2021)	Amends the Texas Health and Safety Code. A county with population of 500,000 or less may regulate solid waste services, and a county with population over 500,000 shall regulate solid waste services.	N/A
HB 2370	Morales Shaw	Relating to procedures for certain permit applications submitted to the Texas Commission on Environmental Quality.	Referred to Environmental Regulation Committee (3/15/2021)	Amends the process for contested case hearings and who is permitted to call a hearing. TCEQ shall adopt rules establishing who qualifies as a representative that is eligible to call a hearing.	N/A

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Bill	Author	Topic	Status	NCTCOG Staff Notes	Related Bills
HB 2708	Patterson*	Relating to the use of certain fees deposited to the hazardous and solid waste remediation fee account for environmental remediation at a closed battery recycling facility site located in a municipality.	Passed House (5/8/2021), Passed Senate (5/24/2021), Signed by Governor (6/16/2021) Effective Immediately	Amends the Texas Health and Safety Code to state that the fee for lead-acid batteries sold may be used for environmental regulation at the closed battery recycling facilities if the municipality submits a voluntary compliance plan for the site and is sharing the cost of remediation.	N/A
HB 3418	Fierro	Relating to the state purchasing preference for recycled, remanufacture, or environmentally sensitive products.	Passed House (5/7/2021), Referred to Business & Commerce Committee (5/18/2021)	Adds requirement that any product listed as recycled, remanufactured, or environmentally sensitive that receives a preference for purchasing be certified as accurate.	SB 1916 , Blanco
HB 3516	King, Tracy O.	Relating to the regulation of the recycling of oil and gas waste.	Passed House as Amended (4/26/2021), Passed Senate (5/23/2021), Signed by Governor (6/8/2021) Effective 9/1/2021	Expands requirements for TCEQ to establish rules for minimum siting standards for commercial fluid recycling pits, other standards for construction, sampling and analysis, and financial restraints.	SB 1335 , Perry

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Bill	Author	Topic	Status	NCTCOG Staff Notes	Related Bills
HB 3814	Hunter	Relating to the regulation by the Texas Commission on Environmental Quality of the discharge of preproduction plastic from point and nonpoint sources to ensure zero discharge or release of plastic into water or onto land in the state and to ensure the prompt cleanup of any discharged or released plastic.	Referred to Environmental Regulation Committee (3/23/2021)	The TCEQ shall adopt a program and rules to ensure zero discharge of preproduction plastic, including prompt and environmentally responsible containment and cleanup. Facilities, whether new or existing, will be required to apply for a stormwater permit under TPDES and abide by required monitoring and implementation of BMPs.	SB 2097 , Zaffirini
HB 3981	Martinez	Relating to the authority of certain counties to issue revenue bonds for certain solid waste management practices.	Referred to Environmental Regulation Committee (3/29/2021)	<i>Only applies to counties adjacent to Mexico with a population greater than 700,000 and at least two municipalities with a population of over 77,000.</i> These counties can issue bonds secured by revenue without holding an election, and use the proceeds to construct, operate, and maintain a disposal facility for scrap tires or other solid waste.	SB 2117 , Hinojosa
HB 4022	Morrison	Relating to public health improvement and pollution reduction through recycling incentives; assessing a fee.	Referred to Environmental Regulation Committee (3/29/2021)	Institutes the Texas Clean and Healthy Program, a rebate system for recyclable materials with verified end markets for direct economic relief. Link to handout provided to NCTCOG.	SB 1276 , Taylor
HB 4095	Goodwin	Relating to the transportation, storage, and disposal of certain radioactive waste.	Referred to Environmental Regulation Committee (3/29/2021)	The TCEQ may not authorize acceptance of greater than Class C waste or high-level radioactive waste for disposal or storage, or the transportation of said waste that did not originate in Texas.	N/A

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HB 4110	Leach*	Relating to the regulation of metal recycling; increasing a criminal penalty.	Passed House (5/14/2021), Passed Senate w/ Amendments (5/25/2021), Signed by Governor (6/18/2021) Effective 9/1/2021	A person attempting to sell a catalytic converter to a metal recycling facility must provide additional details on the converter, including a copy of the title or documentation indicating ownership. The metal recycler must confirm the catalytic converter is consistent with manufacturer's specs and keep record of each transaction, including a unique number.	N/A
HB 4146	King, Tracy O.	Relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments or assessment units.	Passed House (5/11/2021), Received by Senate (5/12/2021)	Amends the Water code to restrict the TCEQ from issuing or amending a permit to authorize the direct discharge or waste or pollutants into a classified stream segment or assessment unit that has had a total phosphorus level at or below 0.06 mg/L in 90% or more of water quality samples for 10 years.	SB 1747 , Zaffirini
HB 4333	Landgraf	Relating to a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.	Left pending in Environmental Regulation Committee (4/19/2021)	A person who arranges for recycling of recyclable metal is not liable for the scrap metal if they can establish that certain criteria was met at the time of the recycling transaction, including the metal met commercial specification grade, a market existed for it, they were in compliance with regulations and standards associated with recycling, they did not melt it prior to the transaction, and more.	SB 1818 , Zaffirini

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SB 1	Nelson*	General Appropriations Bill	Passed Senate (4/6 & 5/26/2021), Passed House (4/23 & 5/27/2021), Signed by Governor 6/18/2021 Effective 9/1/2021	Allocates funding to TCEQ for further allocation to the Council of Governments.	HB 1 (House Version)
SB 365	Miles	Relating 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.	Referred to Natural Resources & Economic Development Committee (3/9/2021)	Expands the Texas Health and Safety Code to include definitions of Environmental Justice Communities and requirements for new or expanded facilities in these communities, including reporting requirements, public participation plans, public notices, and community agreements.	N/A
SB 594	Hinojosa	Relating to the provision of solid waste disposal services by certain counties; authorizing a fee.	Passed Senate (5/6/2021), Referred by Environmental Regulation Committee (5/11/2021)	Expands the Texas Health and Safety Code to allow a county that regulates solid waste collection/disposal through the establishment of a mandatory program to collect a fee for solid waste services through the county tax assessor-collector's office.	N/A

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SB 1276	Taylor	Relating to public health improvement and pollution reduction through recycling incentives; assessing a fee.	Referred to Natural Resources & Economic Development Committee (3/18/2021)	Institutes the Texas Clean and Healthy Program, a rebate system for recyclable materials with verified end markets for direct economic relief. Link to handout provided to NCTCOG.	HB 4022 , Morrison
SB 1294	Eckhardt	Relating to the creation of the Office of Environmental Justice within the Texas Commission on Environmental Quality.	Referred to Natural Resources & Economic Development Committee (3/18/2021)	Creates the Office of Environmental Justice to protect the public health, general welfare, and physical property of environmental justice facilities in regard to the issuance of permits.	HB 1191 , Goodwin
SB 1335	Perry	Relating to the regulation of the recycling of oil and gas waste.	Left pending in Water, Agriculture, & Rural Affairs Committee (4/19/2021)	Expands requirements for TCEQ to establish rules for minimum siting standards for commercial fluid recycling pits, other standards for construction, sampling and analysis, and financial restraints.	HB 3516 , King, Tracy O.
SB 1482	Zaffirini	Relating to the issuance of a permit for a municipal solid waste landfill facility located in a special flood hazard area.	Referred to Natural Resources & Economic Development Committee (3/24/2021)	Restricts permitting of a new facility or lateral expansion of an existing facility into a special flood hazard area, unless the applicant has obtained a letter of map change from FEMA that demonstrates the entire facility has been removed from the special flood hazard area.	N/A

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SB 1747	Zaffirini	Relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments or assessment units.	Referred to Water, Agriculture, & Rural Affairs Committee (3/26/2021)	Amends the Water code to restrict the TCEQ from issuing or amending a permit to authorize the direct discharge or waste or pollutants into a classified stream segment or assessment unit that has had a total phosphorus level at or below 0.06 mg/L in 90% or more of water quality samples for 10 years.	HB 4146 , King, Tracy O.
SB 1802	Zaffirini	Relating to road specifications and safety standards for access to a solid waste facility.	Referred to Natural Resources & Economic Development Committee (3/26/2021)	TCEQ shall adopt road specifications and safety standards for access to solid waste facilities, which must be adhered to as part of the permit. Includes requirements for railroad crossings, spill containment, flood protection, vehicle weight, and more, as well as requirements for how the facility may provide access to the facility.	N/A
SB 1818	Zaffirini	Relating to a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.	Passed Senate (4/22/2021), Passed House (5/11/2021), Signed by Governor (5/30/21) Effective 9/1/2021	A person who arranges for recycling of recyclable metal is not liable for the scrap metal if they can establish that certain criteria was met at the time of the recycling transaction, including the metal met commercial specification grade, a market existed for it, they were in compliance with regulations and standards associated with recycling, they did not melt it prior to the transaction, and more.	HB 4333 , Landgraf
SB 1916	Blanco	Relating to the state purchasing preference for recycled, remanufactured, or environmentally sensitive products.	Referred to Business & Commerce Committee (4/1/2021)	Adds requirement that any product listed as recycled, remanufactured, or environmentally sensitive that receives a preference for purchasing be certified as accurate.	HB 3418 , Fierro

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SB 1981	Miles	Relating to the carcinogenic risk level used in the development of certain environmental remediation benchmarks.	Referred to Natural Resources & Economic Development Committee (4/1/2021)	The TCEQ shall set a carcinogenic risk level in the development of a protective concentration level, risk-based exposure limit, or any other remediation standard used in connection with Subchapter B, Chapter 361 of the Texas Health and Safety Code.	N/A
SB 2097	Zaffirini	Relating to the regulation by the Texas Commission on Environmental Quality of the discharge of preproduction plastic from point and nonpoint sources to ensure zero discharge or release of plastic into water or onto land in the state and to ensure the prompt cleanup of any discharged or released plastic.	Referred to Water, Agriculture, & Rural Affairs Committee (4/1/2021)	The TCEQ shall adopt a program and rules to ensure zero discharge of preproduction plastic, including prompt and environmentally responsible containment and cleanup. Facilities, whether new or existing, will be required to apply for a stormwater permit under TPDES and abide by required monitoring and implementation of BMPs.	HB 3814 , Hunter
SB 2117	Hinojosa	Relating to the authority of certain counties to issue revenue bonds for certain solid waste management practices.	Referred to Natural Resources & Economic Development Committee (4/1/2021)	<i>Only applies to counties adjacent to Mexico with a population greater than 700,000 and at least two municipalities with a population of over 77,000.</i> These counties can issue bonds secured by revenue without holding an election, and use the proceeds to construct, operate, and maintain a disposal facility for scrap tires or other solid waste.	HB 3981 , Martinez