

By: Guillen

H.B. No. 2140

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an advisory panel to study and compile a report on best management practices and funding mechanisms for the prevention, mitigation, and abatement of windblown and waterborne litter and illegal dumping in communities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITION. In this Act, "advisory panel" means the Texas Litter and Illegal Dumping Advisory Panel created under Section 2 of this Act.

SECTION 2. TEXAS LITTER AND ILLEGAL DUMPING ADVISORY PANEL.

(a) The Texas Litter and Illegal Dumping Advisory Panel consists of members appointed not later than November 1, 2017, as follows:

(1) the executive director or the executive director's designee of the following entities shall appoint a representative for that entity:

- (A) the Department of Agriculture;
- (B) the Department of Public Safety;
- (C) the General Land Office;
- (D) the Parks and Wildlife Department;
- (E) the Railroad Commission of Texas;
- (F) the Texas Commission on Environmental Quality;
- (G) the Texas Department of Transportation; and
- (H) the Texas Economic Development and Tourism

1 Office within the office of the governor;

2 (2) the lieutenant governor shall appoint three
3 members with each member to represent one of the following:

4 (A) a county;

5 (B) an irrigation district; and

6 (C) a navigation district or a flood control
7 district;

8 (3) the governor shall appoint three members with each
9 member to represent one of the following:

10 (A) the interests of the private solid waste
11 remediation industry;

12 (B) a statewide nonprofit organization focused
13 on litter prevention, mitigation, and abatement; and

14 (C) the interests of agricultural land owners;
15 and

16 (4) the speaker of the house of representatives shall
17 appoint three members with each member to represent one of the
18 following:

19 (A) a municipality;

20 (B) a river authority; and

21 (C) a drainage district.

22 (b) The representative of the Texas Commission on
23 Environmental Quality is the presiding officer of the advisory
24 panel.

25 (c) A member of the advisory panel is not entitled to
26 receive compensation for service on the advisory panel but is
27 entitled to reimbursement of the travel expenses incurred by the

1 member while conducting the business of the advisory panel.

2 (d) The advisory panel may accept gifts and grants from any
3 source to be used to carry out a function of the advisory panel.

4 SECTION 3. STUDY. The advisory panel shall conduct a study
5 on existing best management practices and funding mechanisms in
6 this state for the prevention, mitigation, and abatement of
7 windblown and waterborne litter and illegal dumping in communities
8 by:

9 (1) identifying and evaluating best management
10 practices for municipal, commercial, industrial, and agricultural
11 properties, including the feasibility, costs, and benefits of those
12 practices; and

13 (2) evaluating:

14 (A) the feasibility and implementation needs of
15 best management practices in different regions of the state;

16 (B) the jurisdiction and effectiveness of law
17 enforcement;

18 (C) the role of state funding for incentive
19 programs; and

20 (D) the appropriate state oversight and
21 community support efforts.

22 SECTION 4. RECOMMENDATIONS. At the conclusion of the
23 study, the advisory panel shall make recommendations to the Texas
24 Commission on Environmental Quality and the Texas Department of
25 Transportation on:

26 (1) standardized methods for reporting and using best
27 management practices; and

1 (2) other possible strategies, as appropriate.

2 SECTION 5. ASSISTANCE OF STATE AGENCIES. On request by the
3 advisory panel, a state agency shall provide assistance to the
4 advisory panel, including necessary support staff.

5 SECTION 6. PUBLIC MEETINGS. The advisory panel may hold
6 public meetings as needed to carry out the duties described by this
7 Act.

8 SECTION 7. BEST PRACTICES GUIDE AND REPORT TO LEGISLATURE.
9 Not later than November 1, 2018, the advisory panel shall:

10 (1) publish a best management practices guide for use
11 by state agencies and counties, municipalities, and other political
12 subdivisions responsible for the prevention, mitigation, and
13 abatement of litter and illegal dumping, including information on
14 potential funding sources; and

15 (2) make a final report to the lieutenant governor,
16 the speaker of the house of representatives, and the legislative
17 committees with primary jurisdiction over the issues described in
18 the report. The report must include recommendations on additional
19 legislative action, if any, that is needed to implement the
20 recommended best management practices.

21 SECTION 8. EXPIRATION. This Act expires and the advisory
22 panel is abolished on January 1, 2020.

23 SECTION 9. EFFECTIVE DATE. This Act takes effect
24 immediately if it receives a vote of two-thirds of all the members
25 elected to each house, as provided by Section 39, Article III, Texas
26 Constitution. If this Act does not receive the vote necessary for
27 immediate effect, this Act takes effect September 1, 2017.