

By: Thompson of Brazoria

H.B. No. 286

A BILL TO BE ENTITLED

1 AN ACT
2 relating to promotion of the use of recyclable materials as
3 feedstock for manufacturing.

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

5 SECTION 1. Section 361.0151, Health and Safety Code, is
6 amended by amending Subsection (b) and adding Subsections (c), (d),
7 (e), (f), (g), (h), (i), and (j) to read as follows:

8 (b) The commission shall work in conjunction with the Texas
9 Economic Development and Tourism Office [~~Department of Commerce~~] to
10 pursue the development of markets for recycled materials, including
11 composting products.

12 (c) In cooperation with the Texas Economic Development and
13 Tourism Office, the commission shall produce a plan to stimulate
14 the use of recyclable materials as feedstock in manufacturing.

15 (d) The plan must:

16 (1) identify the quantity and type of recyclable
17 materials that are being recycled, including paper, plastic, metal,
18 glass, vegetative waste, compost, mulch, tires, electronic waste,
19 construction and demolition debris, batteries, and paint;

20 (2) identify and estimate the quantity and type of
21 recyclable materials that are generated but not being recycled;

22 (3) identify and estimate the current economic
23 benefits of recycling materials and the potential economic benefits
24 to be gained by recycling materials identified under Subdivision

1 (2);

2 (4) identify the location and processing capacity of
3 existing manufacturers that use recyclable materials as feedstock;

4 (5) identify the barriers to increasing the use of
5 recyclable materials as feedstock for manufacturers;

6 (6) identify and estimate the need and type of
7 manufacturing facilities necessary to consume the existing and
8 potential volumes of recyclable materials; and

9 (7) recommend institutional, financial,
10 administrative, and physical methods, means, and processes that
11 could be applied to increase the use of recyclable materials and to
12 stimulate the use of those materials by manufacturers.

13 (e) The plan may not require any generator, collector, or
14 processor of recyclable materials to ship to or use any particular
15 manufacturing facility.

16 (f) To the extent practicable in preparing the plan, the
17 commission shall use methodologies, data, and information derived
18 from other recycling economic studies already performed.

19 (g) The commission shall update the plan every five years,
20 and in a year in which the plan is updated, the plan shall be
21 included in the annual summary of municipal solid waste management
22 produced by the municipal solid waste permits section of the
23 commission and delivered to the governor and legislature.

24 (h) In cooperation with other state agencies, the
25 commission shall develop an education program that must include:

26 (1) the economic benefits of recycling, including job
27 creation, economic impact, percent of total solid waste recycled,

1 weight and volume of solid waste recycled, and taxes and fees paid
2 by the recycling industry;

3 (2) a spotlight of collectors and processors of
4 recyclable materials and manufacturers that are using recyclable
5 materials as feedstock; and

6 (3) the detrimental effects of contamination in the
7 recyclable materials stream and the need to reduce those effects.

8 (i) The commission shall update the education program
9 required by Subsection (h) at least every five years.

10 (j) The commission may enter into contracts with public,
11 private, and nonprofit organizations to produce the plan required
12 by Subsection (c) and the education program required by Subsection
13 (h).

14 SECTION 2. Not later than October 1, 2020, the Texas
15 Commission on Environmental Quality shall complete the initial plan
16 and education program required under Sections 361.0151(c) and (h),
17 Health and Safety Code, as added by this Act.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2019.