

1-1 By: Landgraf (Senate Sponsor - Nichols) H.B. No. 5057  
1-2 (In the Senate - Received from the House May 9, 2025;  
1-3 May 13, 2025, read first time and referred to Committee on Local  
1-4 Government; May 20, 2025, reported favorably by the following  
1-5 vote: Yeas 5, Nays 1; May 20, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Middleton	X			
1-9 Cook	X			
1-10 Gutierrez			X	
1-11 Nichols	X			
1-12 Paxton	X			
1-13 West		X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to exclusive contracts for municipal solid waste  
1-18 management services.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter F, Chapter 363, Health and Safety  
1-21 Code, is amended by adding Section 363.120 to read as follows:

1-22 Sec. 363.120. EXCLUSIVE SOLID WASTE MANAGEMENT SERVICE  
1-23 CONTRACTS. (a) In this section:

1-24 (1) "Exclusive contract" means a contract or franchise  
1-25 agreement between a public agency and a privately owned solid waste  
1-26 management service provider that grants to the service provider an  
1-27 exclusive right to provide certain solid waste management services  
1-28 in the public agency's jurisdiction.

1-29 (2) "Solid waste management services" means solid  
1-30 waste collection or transportation services.

1-31 (b) A public agency that enters into an exclusive contract,  
1-32 including by renewing or amending an existing contract in a manner  
1-33 that grants a privately owned solid waste management service  
1-34 provider an exclusive right to provide certain additional solid  
1-35 waste services that was not contained in the contract before the  
1-36 renewal or amendment, shall give notice containing:

1-37 (1) a summary of the purpose of the contract or  
1-38 amendment; and

1-39 (2) a description of the change made by the contract or  
1-40 amendment.

1-41 (c) A public agency required by Subsection (b) to give  
1-42 notice shall:

1-43 (1) publish the notice:

1-44 (A) in a newspaper of general circulation in the  
1-45 jurisdiction of the public agency; and

1-46 (B) on a publicly available Internet website  
1-47 maintained by the public agency, if the public agency maintains  
1-48 such a website; and

1-49 (2) if the public agency requires a privately owned  
1-50 solid waste management service provider to register or obtain  
1-51 approval to operate in the public agency's jurisdiction, give  
1-52 notice to each provider registered with or approved by the public  
1-53 agency to operate in the jurisdiction.

1-54 (d) A contract or amendment described by Subsection (b) may  
1-55 not take effect before the date the notice required by that  
1-56 subsection is published in a newspaper as required by Subsection  
1-57 (c)(1)(A).

1-58 (e) A privately owned solid waste management service  
1-59 provider that has an existing contract with a person to provide  
1-60 certain solid waste management services for which a public agency  
1-61 enters into an exclusive contract with another service provider may

2-1 continue to provide those services in the public agency's  
 2-2 jurisdiction until the earlier of:  
 2-3 (1) the date the service provider's existing  
 2-4 nonexclusive contract expires; or  
 2-5 (2) the first anniversary of the date the public  
 2-6 agency publishes the notice required by Subsection (b) in a  
 2-7 newspaper as required by Subsection (c)(1)(A).  
 2-8 (f) A privately owned solid waste management service  
 2-9 provider that provides solid waste management services to a person  
 2-10 in a public agency's jurisdiction and that does not have a contract  
 2-11 to provide the services may, if the public agency enters into an  
 2-12 exclusive contract with another service provider to provide those  
 2-13 services, continue to provide the services in the jurisdiction  
 2-14 until the 60th day after the date the public agency publishes the  
 2-15 notice required by Subsection (b) in a newspaper as required by  
 2-16 Subsection (c)(1)(A).  
 2-17 (g) This section does not apply to the provision of solid  
 2-18 waste management services by a municipality to an annexed area as  
 2-19 provided by Section 43.0661, Local Government Code.  
 2-20 SECTION 2. Section 363.120, Health and Safety Code, as  
 2-21 added by this Act, applies only to a contract or franchise agreement  
 2-22 for solid waste management services entered into on or after the  
 2-23 effective date of this Act.  
 2-24 SECTION 3. This Act takes effect immediately if it receives  
 2-25 a vote of two-thirds of all the members elected to each house, as  
 2-26 provided by Section 39, Article III, Texas Constitution. If this  
 2-27 Act does not receive the vote necessary for immediate effect, this  
 2-28 Act takes effect September 1, 2025.

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