

1-1 By: Birdwell S.B. No. 2050
1-2 (In the Senate - Filed March 7, 2025; March 17, 2025, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 14, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 14, 2025,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Birdwell</u>	X		
1-10	<u>Zaffirini</u>	X		
1-11	<u>Alvarado</u>	X		
1-12	<u>Blanco</u>	X		
1-13	<u>Flores</u>	X		
1-14	<u>Hancock</u>	X		
1-15	<u>Hughes</u>	X		
1-16	<u>Parker</u>	X		
1-17	<u>Sparks</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2050 By: Birdwell

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the recycling and disposal of consumer energy storage
1-22 modules.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 361, Health and Safety Code, is amended
1-25 by adding Subchapter P to read as follows:

1-26 SUBCHAPTER P. CONSUMER ENERGY STORAGE MODULES

1-27 Sec. 361.471. DEFINITIONS. In this subchapter:

1-28 (1) "Consumer energy storage module" means a battery
1-29 or other electrochemical device that stores chemical energy and
1-30 transforms it into electrical energy to power a consumer product or
1-31 electronic device.

1-32 (2) "Steward organization" means a group consisting of
1-33 consumer energy storage module manufacturers, product
1-34 manufacturers, or other members organized to promote the recycling
1-35 of consumer energy storage modules.

1-36 Sec. 361.472. APPLICABILITY. This subchapter does not
1-37 apply to a lead-acid battery governed by Subchapter O.

1-38 Sec. 361.473. PLACEMENT IN CERTAIN SOLID WASTE DISPOSAL OR
1-39 RECYCLING STREAMS PROHIBITED. (a) Except as provided by
1-40 Subsection (b), a person may not place a consumer energy storage
1-41 module in:

1-42 (1) a mixed municipal solid waste facility or curbside
1-43 collection receptacle;

1-44 (2) a mixed metal recycling collection facility or
1-45 curbside collection receptacle; or

1-46 (3) a municipal mixed recyclable material collection
1-47 facility or curbside collection receptacle.

1-48 (b) This section does not apply to the placement of a
1-49 consumer energy storage module in a facility or receptacle
1-50 described by Subsection (a) in accordance with a local program that
1-51 provides for the collection for recycling of a consumer energy
1-52 storage module at a facility or by curbside collection.

1-53 Sec. 361.474. LIMITED LIABILITY FOR CERTAIN VIOLATIONS.
1-54 Notwithstanding any other law, an individual consumer is not
1-55 subject to civil, administrative, or criminal liability under
1-56 Chapter 7, Water Code, for a violation of Section 361.473 that is
1-57 inadvertent or incidental to noncommercial household use of a
1-58 consumer energy storage module.

1-59 Sec. 361.475. NO DUTY OF CERTAIN FACILITY OPERATORS.
1-60 Notwithstanding any other law, the owner or operator of a solid

2-1 waste disposal facility, mixed metal recycling collection
2-2 facility, or municipal mixed recyclable material collection
2-3 facility:

2-4 (1) is not subject to civil, administrative, or
2-5 criminal liability under Chapter 7, Water Code, if:

2-6 (A) a person places a consumer energy storage
2-7 module in the owner's or operator's facility; or

2-8 (B) a consumer energy storage module otherwise
2-9 arrives at the owner's or operator's facility through the
2-10 collection of solid waste or recyclable material for disposal or
2-11 recycling at the facility; and

2-12 (2) has no duty to locate or remove a consumer energy
2-13 storage module placed in or otherwise collected by the owner's or
2-14 operator's facility.

2-15 Sec. 361.476. CONSUMER ENERGY STORAGE MODULE COLLECTION FOR
2-16 RECYCLING OR DISPOSAL. The commission by rule shall identify
2-17 businesses or facilities in this state where an individual
2-18 consumer, steward organization, or other person may place or
2-19 deliver a consumer energy storage module for recycling or disposal.

2-20 SECTION 2. As soon as practicable after the effective date
2-21 of this Act, the Texas Commission on Environmental Quality shall
2-22 adopt rules necessary to implement the changes in law made by this
2-23 Act.

2-24 SECTION 3. This Act takes effect September 1, 2025.

2-25 * * * * *