

1-1 By: Kolkhorst S.B. No. 2078
1-2 (In the Senate - Filed March 7, 2025; March 24, 2025, read
1-3 first time and referred to Committee on Water, Agriculture and
1-4 Rural Affairs; April 9, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 1;
1-6 April 9, 2025, sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Perry	X			
1-10	Hancock	X			
1-11	Birdwell	X			
1-12	Blanco	X			
1-13	Gutierrez	X			
1-14	Hinojosa of Nueces	X			
1-15	Johnson		X		
1-16	Kolkhorst	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2078 By: Kolkhorst

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

1-21 relating to the regulation of composting in certain counties;
1-22 authorizing a civil penalty.

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

1-24 SECTION 1. Subchapter B, Chapter 364, Health and Safety
1-25 Code, is amended by adding Section 364.020 to read as follows:

1-26 Sec. 364.020. DEPOSIT OF CERTAIN FOOD WASTE FOR COMPOSTING
1-27 IN CERTAIN COUNTIES PROHIBITED. (a) In this section:

1-28 (1) "Commercial food waste composting ordinance"
1-29 means a municipal ordinance that requires a multifamily residential
1-30 property, a business holding a food permit, or another business
1-31 owner to divert food waste from disposal in a landfill.

1-32 (2) "Composting facility" means a facility that
1-33 composts source-separated yard trimmings, clean wood material,
1-34 vegetative material, paper, manure, meat, fish, dead animal
1-35 carcasses, dairy materials, or meat and vegetable oils and greases
1-36 from a municipal, commercial, or institutional source.

1-37 (b) A person may not deposit at a composting facility
1-38 located in a county that does not contain a municipality with a
1-39 commercial food waste composting ordinance food waste that is:

1-40 (1) collected for composting in a county that contains
1-41 a municipality that has a commercial food waste composting
1-42 ordinance; and

1-43 (2) subject to such an ordinance.

1-44 (c) A person is liable for a civil penalty of \$1,000 for each
1-45 violation of Subsection (b).

1-46 (d) The attorney general may bring an action in a court of
1-47 competent jurisdiction to recover the civil penalty imposed under
1-48 this section.

1-49 (e) This section does not apply to an agricultural operation
1-50 as defined by Section 251.002, Agriculture Code.

1-51 SECTION 2. This Act takes effect September 1, 2025.

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