

AN ACT

In support of the recycling industry relating to the development of a marketing plan for recyclable materials generated in the State of Texas and an education program to promote public understanding of the benefits of recycling in Texas.

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

Definitions. In this Act:

- (1) "Commission" means the Texas Commission on Environmental Quality.
- (2) "Department" means the Texas Department of Commerce.
- (3) "Education" shall have the meaning as assigned by Section 361.014 of the Health and Safety Code.
- (4) "Recycling" has the meaning assigned by Section 361.421, Health and Safety Code.
- (5) "Development and stimulation of markets" shall have the meaning and intent assigned by Section 361.014 of the Health and Safety Code.
- (6) "Work in conjunction" shall have the meaning and intent assigned by Section 361.0151 of the Health and Safety Code.
- (7) "Manufacturing" shall mean an industrial process or processes that use collected recyclable materials to create a final product that is made available for purchase or use by the public, industrial or institutional consumers.

ARTICLE 1. DEVELOPMENT OF MARKETS FOR RECYCLED MATERIALS. The Commission shall, in cooperation with the Department, conduct research and develop a plan to stimulate the capacity of existing manufacturers in Texas and the creation of new manufacturers in Texas that use recyclable materials for feedstock. The plan, at a minimum must:

- (1) Assess the current end-use manufacturing infrastructure that uses, or could use recyclable materials as feedstock.
 - (A) Identify the quantity and type of recyclable materials collected for the purpose of recycling including paper, plastic, metal, glass, vegetative waste, compost, mulch, tires, electronic wastes, batteries and paint currently being recycled;
 - (B) Identify and estimate the quantity of these materials that are generated but not being recycled;
 - (C) Estimate the economic impact of the materials that are being recycled and the economic impact potential of the materials that are not being recycled;
 - (D) Identify the location and processing capacity of existing end-use manufacturers in Texas that use recyclable materials as feedstock;
 - (E) Identify the barriers to increasing such manufacturing capacity;
 - (F) Identify the need and type of new manufacturing facilities necessary to consume the current and potentially economically feasible volumes of recyclable materials if existing manufacturing capacity is incapable of being expanded to absorb such volume of recyclable materials.

- (G) Identify and recommend institutional, financial, administrative and physical methods, means and processes that could be applied to minimize such barriers and to stimulate manufacturing consumption;

SECTION 1) PLAN NOT TO INSTITUTE FLOW CONTROL. The Plan shall not cause or require any generator, collector or processor of recyclable materials to ship to, or use, any particular manufacturing facility. The Plan shall allow and preserve the ability of any generator, collector or processor to use any manufacturer of their choice, whether intrastate or interstate, domestic or foreign.

SECTION 2) To the extent practicable, the Commission shall use methodologies, data and information derived from other recycling economic studies performed for recycling and manufacturing previously performed in this State.

SECTION 3) The Plan shall be completed and submitted to the Governor and the Legislature by October 1, 2020 and shall be included in the 2020 summary report titled "Municipal Solid Waste in Texas: A Year in Review." The Plan shall be updated, at a minimum every five years.

ARTICLE 2. PUBLIC EDUCATION PROGRAM DEMONSTRATING THE BENEFITS OF RECYCLING IN TEXAS

SECTION 1. The Commission shall, in cooperation with any appropriate other State Agency or Office develop and deliver an education program that shall at a minimum:

- (A) Illustrate the positive economic benefits of recycling in Texas including job creation, economic impact, percent of solid waste recycled, tonnage/volume of solid waste recycled, and the amount of taxes and fees paid by the recycling industry.
- (B) Spotlight collectors and processors of recyclable materials and manufacturers that are using recyclable materials as feedstock.
- (C) Stress the necessity to reduce contamination of recyclable materials by non-recyclable materials.
- (D) The detrimental impacts and effects of contamination in the recyclables material stream.

FUNDING. The Plan shall be funded by an appropriation of \$500,000.00 and the Education Program funded by an appropriation of \$2,000,000.00 from the Municipal Solid Waste Disposal Account commonly known as the 5000 Fund. The Commission and other agencies may contract with private and non-profit entities to accomplish the purposes of this Act.

EXPIRATION. The Act expires September 30, 2020.

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