

AN ACT

relating to the funding of and the making of grants by the Texas Council on Environmental Technology.

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

SECTION 1. Section 387.002(b), Health and Safety Code, is amended to read as follows:

(b) The Texas Council on Environmental Technology shall work to enhance the entrepreneurial and inventive spirit of Texans to assist in developing solutions to air, water, and waste problems by:

(1) identifying and evaluating new technologies and seeking the approval of the United States Environmental Protection Agency for and facilitating the deployment of those technologies; ~~and~~

(2) assisting the commission and the United States Environmental Protection Agency in the process of ensuring credit for new, innovative, and creative technological advancements;

(3) competing for and managing federal grants and funds from other sources available for carrying out the objectives of the council; and

(4) entering into public-private partnerships to facilitate development of environmental technology infrastructure in this state.

SECTION 2. Section 387.003, Health and Safety Code, is

1 amended by adding Subsection (c) to read as follows:

2 (c) When making a grant under the program, the Texas Council  
3 on Environmental Technology may collect a fee from the grant  
4 recipient in an amount not to exceed five percent of the amount of  
5 the grant to be used by the council only to:

6 (1) monitor project progress;

7 (2) disseminate information about project  
8 accomplishments;

9 (3) track technology deployment into the marketplace;

10 and

11 (4) provide estimates of the impact that  
12 commercialization of funded projects will have on the environment.

13 SECTION 3. Section 387.005, Health and Safety Code, is  
14 amended by adding Subsection (f) to read as follows:

15 (f) If a member of the Texas Council on Environmental  
16 Technology is an employee or owner of an entity that applies for a  
17 grant under this chapter, the member, before a vote on the grant,  
18 shall disclose the fact of the member's employment or ownership.  
19 The disclosure must be entered into the minutes of the meeting. The  
20 member may not vote on or otherwise participate in the awarding of  
21 the grant. If the member does not comply with this subsection, the  
22 entity is not eligible for the grant.

23 SECTION 4. Section 387.008(a), Health and Safety Code, is  
24 amended to read as follows:

25 (a) The environmental research fund is an account in the  
26 general revenue fund. The fund consists of fees collected under  
27 Section 387.003(c) and money from gifts, grants, or donations to

1 the fund for designated or general use and from any other source  
2 designated by the legislature.

3 SECTION 5. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2003.

David Swokurst

President of the Senate

Jim Cuddihill

Speaker of the House

I certify that H.B. No. 43 was passed by the House on March 18, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 43 on April 30, 2003, by the following vote: Yeas 136, Nays 0, 2 present, not voting.

Robert Nancy  
Chief Clerk of the House

I certify that H.B. No. 43 was passed by the Senate, with amendments, on April 25, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Spaw

Secretary of the Senate

APPROVED: 14 May '03  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:15pm O'CLOCK

MAY 14 2003  
Ann Shea  
Secretary of State