

## CHAPTER 424

## S.B. No. 528

An Act relating to the discharge of certain effluent within one mile of a park, playground, or schoolyard; amending Section 26.030, Water Code, as amended.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 26.030, Water Code, as amended, is amended to read as follows:

"Section 26.030. PERMIT; EFFECT ON RECREATIONAL WATER. (a) In considering the issuance of a permit to discharge effluent into any body of water having an established recreational standard, the commission shall consider any unpleasant odor quality of the effluent and the possible adverse effect that it might have on the receiving body of water; and the commission may consider the odor as one of the elements of the water quality of the effluent.

"(b) *In considering the issuance of a permit to discharge effluent comprised primarily of sewage or municipal waste into any body of water that crosses or abuts any park, playground, or schoolyard within one mile of the point of discharge, the commission shall consider any unpleasant qualities of the effluent, including unpleasant odor, and any possible adverse effects that the discharge of the effluent might have on the recreational value of the park, playground, or schoolyard.*"

**SECTION 2.** This Act applies to an application for a permit to discharge effluent pending on the effective date of this Act or filed on or after the effective date of this Act.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 7, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 21, 1985, by the following vote: Yeas 143, Nays 0, two present not voting.

Approved: June 11, 1985

Effective: Immediately