



**“AFFIDAVIT OF PROPER DISPOSAL OF SOLID WASTE MATERIALS FOR THE
LEGAL PROTECTION OF A PROPERTY OWNER”**

*The penalties/fines for illegal dumping can include state jail time if solid waste
Materials are dumped or disposed of illegally.*

Texas Health and Safety Code chapter 365-Texas litter abatement act provides for
a safeguard for a home or property owner when engaging someone to haul off
solid waste (shingles, lumber, trash, etc.) that is produced on their property.
Chapter 365, section 365.012 Illegal Dumping: Criminal Penalties Subsection (L)

Summary of subsection G: *STATE JAIL FELONY VIOLATION*

- Weighs more than 1000 pounds or has a volume pf 200 cubic feet or more;
- Is disposed of for commercial purpose (someone receives benefit for h
Hauling or disposing) and weighs 200 pounds or more or has a volume of
200 cubic feet or more;
- Is contained in a closed barrel or drum;

“this section does not apply to an individual’s disposal of litter or other solid waste if”:

(o) for purpose of prosecution under subsection (g), a generator creates a
Rebuttable presumption of lack of culpable mental state if the generator of the solid
Waste to be disposed of secures, prior to the hauler’s receipt of the solid waste,
A signed statement from the hauler that the solid waste will be disposed of legally.
This statement shall include the haulers valid Texas driver’s license number.

DESCRIPTION OF MATERIALS:

PROPERTY ADDRESS: _____

PROPERTY OWNER NAME, ADDRESS, & PHONE NUMBER

NAME: _____ DATE: _____

ADDRESS: _____ PHONE# _____

As hauler I hereby certify with my signature that the solid waste listed above will be disposed of legally.

DATE: _____

PRINTED NAME: _____ SIGNATURE: _____

TEXAS DRIVERS LICENSE#: _____