

1-1 By: Birdwell S.B. No. 3074
1-2 (In the Senate - Filed May 20, 2025; May 20, 2025, read
1-3 first time and referred to Committee on Natural Resources;
1-4 May 22, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 1; May 22, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Birdwell	X			
1-10	Zaffirini	X			
1-11	Alvarado	X			
1-12	Blanco	X			
1-13	Flores	X			
1-14	Hancock		X		
1-15	Hughes	X			
1-16	Parker	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 3074 By: Birdwell

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

1-21 relating to communications between the Texas Commission on
1-22 Environmental Quality and the governor, the lieutenant governor, or
1-23 a member of the legislature.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter E, Chapter 5, Water Code, is amended
1-26 by adding Section 5.180 to read as follows:

1-27 Sec. 5.180. COMMUNICATIONS WITH CERTAIN GOVERNMENT
1-28 OFFICIALS. (a) Notwithstanding any other law, the governor, the
1-29 lieutenant governor, or a member of the legislature may communicate
1-30 in writing, including electronically, with a commission official or
1-31 employee about an application for the issuance, amendment,
1-32 modification, or renewal of a permit, or for an authorization to use
1-33 a permit, that is pending before the commission. A member of the
1-34 legislature may communicate under this section with the commission
1-35 only about an application for a facility or proposed facility that
1-36 is located in the member's district.

1-37 (b) A commission official or employee shall receive a
1-38 communication described by Subsection (a). The official or
1-39 employee is not required to be recused from the proceedings related
1-40 to the application discussed in the communication.

1-41 (c) The commission shall:

1-42 (1) include in the record of proceedings related to an
1-43 application a record of each communication received under this
1-44 section about the application; and

1-45 (2) provide for any party to the proceedings related
1-46 to an application about which the commission receives a
1-47 communication under this section an opportunity to respond to the
1-48 communication.

1-49 (d) The governor, the lieutenant governor, or a member of
1-50 the legislature may not communicate with a commission official or
1-51 employee under this section about an application that affects a
1-52 business entity in which the governor, lieutenant governor, or
1-53 member has a substantial interest or in which a person related to
1-54 the governor, lieutenant governor, or member within the second
1-55 degree of consanguinity or affinity has a substantial interest, as
1-56 described by Section 572.005, Government Code.

1-57 SECTION 2. This Act takes effect September 1, 2025.

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