

Amend CSHB 2877 as follows:

(1) Strike existing Section 361.122, Health and Safety Code, and replace it with the following language by adding a new SECTION and renumbering the subsequent sections accordingly:

SECTION _____. Section 361.122, Health and Safety Code, is amended to read as follows:

Sec. 361.122. DENIAL OF CERTAIN LANDFILL PERMITS. (a) The commission may not issue a permit for a Type IV landfill if:

(1) the proposed site is located within 100 feet of a canal that is used as a public drinking water source or for irrigation of crops used for human or animal consumption;

(2) the proposed site is located in a county with a population of more than 225,000 that is located adjacent to the Gulf of Mexico; and

(3) prior to final consideration of the application by the commission, the commissioners of the county in which the facility is located have adopted a resolution recommending denial of the application.

(b) In addition to the restriction on the location of a Type IV landfill under Subsection (a), the commission may not issue a permit for a Type IV landfill if, on or before January 13, 2003, the proposed facility was determined by the applicable regional planning commission created under Chapter 391, Local Government Code, to be incompatible with a regional solid waste management plan adopted under Section 363.062 of this code.