

By: Miller

H.B. No. 1148

Substitute the following for H.B. No. 1148:

By: Swinford

C.S.H.B. No. 1148

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing a temporary wind up permit for a
3 concentrated animal feeding operation the permit for which has not
4 been renewed or has been revoked.

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

6 SECTION 1. Subchapter B, Chapter 26, Water Code, is amended
7 by adding Section 26.0287 to read as follows:

8 Sec. 26.0287. TEMPORARY WIND UP PERMIT FOR CONCENTRATED
9 ANIMAL FEEDING OPERATION. (a) The commission shall issue a
10 temporary wind up permit to a person whose permit to operate a
11 concentrated animal feeding operation is not renewed or is revoked.
12 The temporary wind up permit is effective for a term determined by
13 the commission of not less than six months.

14 (b) If the nonrenewal or revocation of the permit is
15 appealed, the agency or court hearing the appeal by order shall
16 extend the temporary wind up permit for the duration of the appeal
17 process and by order shall extend the term of the temporary wind up
18 permit for not less than six months from the date of the appeals
19 decision if the decision supports the nonrenewal or revocation.

20 SECTION 2. (a) This Act takes effect September 1, 2003.

21 (b) The change in law made by Section 26.0287, Water Code,
22 as added by this Act, applies only to a permit renewal or permit
23 revocation proceeding that is initiated on or after September 1,
24 2003.