

Amend HB 1609 by adding SECTION 1, SECTION 2, SECTION 3, SECTION 5 and SECTION 6 as follows and renumbering the existing sections appropriately:

SECTION 1. Section 361.0666(a), Health and Safety Code, is amended to read as follows:

(a) An applicant for a permit under this chapter for a new facility that accepts municipal solid wastes may ~~[shall]~~ hold a public meeting in the county in which the proposed facility is to be located. ~~[The meeting must be held before the 45th day after the date the application is filed.]~~

SECTION 2. Section 361.0791(a) and (b), Health and Safety Code, is amended to read as follows:

(a) Notwithstanding other law, the commission may ~~[shall]~~ hold a public meeting on an application for a new hazardous waste management facility in the county in which the proposed hazardous waste management facility is to be located. The commission~~[, on request of a person affected or as otherwise required by commission rule,~~ may ~~[shall]~~ hold a public meeting on an application for a Class 3 modification or a major amendment to an existing facility's hazardous waste permit.

(b) Notwithstanding other law, the commission may ~~[shall]~~ hold a public meeting on an application for a new municipal solid waste management facility in the county in which the proposed municipal solid waste management facility is to be located.

SECTION 3. Section 361.082(d), Health and Safety Code, is amended to read as follows:

(d) In addition to the hearing held under this section, the commission may ~~[shall]~~ hold a public meeting and the applicant shall give notice as provided by Section 361.0791.

SECTION 5. Section 361.534, Health and Safety Code, is amended by amending the heading, amending Subsections (a) and (b), and adding new Subsection (c) to read as follows:

Sec. 361.534. Permit Public Meeting ~~[Hearing]~~.

(a) The commission may hold a public meeting on ~~[shall set a hearing to be held not later than the 30th day after the date that the commission receives]~~ an application under this subchapter.

(b) The commission shall hold a public meeting on an

application under this subchapter:

(1) on the request of a member of the legislature who represents the general area in which the development is proposed to be located; or

(2) if the executive director determines that there is substantial public interest in the proposed development.

(c) The commission by mail shall notify the applicant of the date, time, and place of the public meeting [~~hearing not later than the 15th day before the date of the hearing~~]. The commission shall require the applicant to publish notice of the public meeting [~~hearing~~] in a newspaper that is generally circulated in each county in which the property proposed for development is located. The published notice must appear at least once a week for the two weeks before the date of the public meeting [~~hearing~~].

SECTION 6. The changes in law made by this Act to Health and Safety Code Sections 361.0666(a), 361.0791(a) and (b), 361.082(d), and 361.534 apply only to an application that is filed on or after the effective date of this Act. An application that was filed before the effective date of this Act is governed by the former law, and that law is continued in effect for that purpose.