

Amend SB 1740 (House Committee Printing) by inserting the following appropriately numbered new SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 382.05195, Health and Safety Code, is amended by adding subsection (j) to read as follows:

(j) If a standard permit for a facility requires a distance, setback or buffer from other property or structures as a condition of the permit, the determination of whether the distance, setback or buffer is satisfied shall be made on the basis of conditions existing at the earlier of:

(1) the date of new construction, expansion or modification of a facility begins; or

(2) the date any application or notice of intent is first filed with the commission to obtain approval for the construction or operation of the facility.