

By: Miller

H.B. No. 785

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 been
4 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 revoked. The term of the
12 temporary wind up permit is six months.

13 (b) If the revocation of the permit is appealed, the agency
14 or court hearing the appeal by order shall extend the temporary wind
15 up permit for the duration of the appeal process and by order shall
16 extend the wind up permit for three months from the date of the
17 appeals decision if the decision supports the revocation.

18 SECTION 2. The change in law made by Section 26.0287, Water
19 Code, as added by this Act, applies only to a permit revocation
20 proceeding that is initiated on or after September 1, 2005.

21 SECTION 3. This Act takes effect September 1, 2005.