

By: Turner

H.B. No. 1493

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the publication of notice of intent to obtain a permit
3 from the Texas Commission on Environmental Quality for a facility
4 located or proposed to be located in certain populous counties.

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

6 SECTION 1. Section 5.552, Water Code, is amended by adding
7 Subsection (g) to read as follows:

8 (g) Notwithstanding Subsection (b)(1), the applicant for a
9 permit for a facility located or proposed to be located in a county
10 with a population of 3.2 million or more shall publish notice at
11 least once not later than the 30th day after the date the executive
12 director determines the application to be administratively
13 complete. The notice must be published:

14 (1) in the newspaper of largest circulation in that
15 county that also offers home delivery daily or weekly to residences
16 in the vicinity of the facility or proposed facility; or

17 (2) if the facility to which the application relates
18 is located or proposed to be located in a municipality, in a
19 newspaper of general circulation in that municipality that also
20 offers home delivery daily or weekly to residences in the vicinity
21 of the facility or proposed facility.

22 SECTION 2. The changes in law made by this Act apply to the
23 publication of notice of intent to obtain a permit only if the
24 executive director of the Texas Commission on Environmental Quality

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1 determines the application for the permit to be administratively
2 complete on or after September 1, 2005.

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