

By: Mowery

H.B. No. 1880

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of permits affecting air quality and notification of certain local officials.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.05162 to read as follows:

Sec. 382.05162. NOTICE TO CERTAIN LOCAL OFFICIALS. (a) On receiving an application for a construction permit or an amendment to a construction permit, a special permit, or an operating permit for a facility that may emit air contaminants and that is located or planned to be located in a nonattainment area of this state as designated under Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407), the commission shall send notice of the application to:

(1) the county commissioners of the county in which the facility is or is planned to be located; and

(2) each member of the governing body of each municipality with a population of 100,000 or more that is located in the county in which the facility is or is planned to be located.

(b) The commission may send the notice required under Subsection (a) electronically.

SECTION 2. Section 382.05162, Health and Safety Code, as added by this Act, applies only to an application for a permit under Chapter 382, Health and Safety Code, received by the Texas

1 Commission on Environmental Quality on or after the effective date
2 of this Act. An application for a permit received before the
3 effective date of this Act is governed by the law in effect on the
4 date the application was received and that law is continued in
5 effect for that purpose.

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