

1-1 By: Jackson S.B. No. 588  
1-2 (In the Senate - Filed February 17, 2005; March 1, 2005,  
1-3 read first time and referred to Committee on Natural Resources;  
1-4 April 11, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 11, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 588 By: Jackson

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the publication of notice of intent to obtain a permit  
1-11 from the Texas Commission on Environmental Quality for a facility  
1-12 located or proposed to be located in certain populous counties.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 5.552, Water Code, is amended by adding  
1-15 Subsection (g) to read as follows:

1-16 (g) Notwithstanding Subsection (b)(1), the applicant for a  
1-17 permit for a facility located or proposed to be located in a county  
1-18 with a population of 3.2 million or more shall publish notice at  
1-19 least once not later than the 30th day after the date the executive  
1-20 director determines the application to be administratively  
1-21 complete. The notice must be published:

1-22 (1) in the newspaper of largest circulation in that  
1-23 county that also offers home delivery at least weekly to residences  
1-24 in the vicinity of the facility or proposed facility; or

1-25 (2) if the facility to which the application relates  
1-26 is located or proposed to be located in a municipality, in a  
1-27 newspaper of general circulation in that municipality that also  
1-28 offers home delivery at least weekly to residences in the vicinity  
1-29 of the facility or proposed facility.

1-30 SECTION 2. The changes in law made by this Act apply to the  
1-31 publication of notice of intent to obtain a permit only if the  
1-32 executive director of the Texas Commission on Environmental Quality  
1-33 determines the application for the permit to be administratively  
1-34 complete on or after September 1, 2005.

1-35 SECTION 3. This Act takes effect September 1, 2005.

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