

By: Ellis

S.B. No. 786

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of a panel of experts to review the process
3 of issuing permits under the Texas Clean Air Act.

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

5 SECTION 1. (a) Not later than November 1, 2005, the
6 executive director of the Texas Commission on Environmental Quality
7 shall appoint and convene a panel of nationally recognized experts
8 to review the process of issuing, amending, and renewing permits of
9 any type that regulate air pollution under Chapter 382, Health and
10 Safety Code.

11 (b) The panel shall review:

12 (1) the standards and other matters considered by the
13 Texas Commission on Environmental Quality in the permit review
14 process;

15 (2) the standards and other matters considered by the
16 commission regarding the cumulative effects of other facilities and
17 sources of pollution in the area; and

18 (3) the processes used and standards and other matters
19 considered by other states to grant permits regulating air
20 pollution.

21 (c) Not later than November 1, 2006, the panel shall submit
22 to the executive director, the lieutenant governor, the speaker of
23 the house of representatives, and the presiding officers of the
24 standing committees of the senate and house of representatives with

1 primary jurisdiction over air pollution a report that includes
2 recommendations on ways to improve the process of issuing permits
3 regulating air pollution.

4 (d) A panel member is not entitled to compensation for
5 service on the panel or reimbursement for travel expenses incurred
6 by the member while conducting panel business.

7 (e) The Texas Commission on Environmental Quality shall
8 provide the panel with staff and resources necessary to conduct the
9 panel's business.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2005.