

By: West

S.B. No. 1351

Substitute the following for S.B. No. 1351:

By: Driver

C.S.S.B. No. 1351

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that the Texas Commission on
3 Environmental Quality provide notice related to certain permit
4 applications to certain local officials.

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

6 SECTION 1. Section 382.0516, Health and Safety Code, is
7 amended to read as follows:

8 Sec. 382.0516. NOTICE TO STATE SENATOR, STATE [~~AND~~]
9 REPRESENTATIVE, AND CERTAIN LOCAL OFFICIALS. (a) On receiving an
10 application for a construction permit or an amendment to a
11 construction permit, a special permit, or an operating permit for a
12 facility that may emit air contaminants, the commission shall send
13 notice of the application to the state senator and representative
14 who represent the area in which the facility is or will be located.

15 (b) In addition to the notice required by Subsection (a),
16 for an application that relates to an existing or proposed concrete
17 batch plant, on receiving an application for a construction permit,
18 an amendment to a construction permit, an operating permit, or an
19 authorization to use a standard permit, the commission shall send
20 notice of the application:

21 (1) to the county judge of the county in which the
22 facility is or will be located; and

23 (2) if the facility is or will be located in a
24 municipality or the extraterritorial jurisdiction of a

1 municipality, to the presiding officer of the municipality's
2 governing body.

3 SECTION 2. The notice provisions under Section 382.0516,
4 Health and Safety Code, as amended by this Act, apply only to an
5 application for a permit that is submitted to the Texas Commission
6 on Environmental Quality on or after the effective date of this Act.

7 SECTION 3. This Act takes effect September 1, 2007.