

1-1 By: West S.B. No. 1351
1-2 (In the Senate - Filed March 7, 2007; March 20, 2007, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 18, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 18, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1351 By: Brimer

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

1-10 relating to a requirement that the Texas Commission on
1-11 Environmental Quality provide notice related to certain permit
1-12 applications to certain local officials.

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

1-14 SECTION 1. Section 382.0516, Health and Safety Code, is
1-15 amended to read as follows:

1-16 Sec. 382.0516. NOTICE TO STATE SENATOR, STATE [AND]
1-17 REPRESENTATIVE, AND CERTAIN LOCAL OFFICIALS. (a) On receiving an
1-18 application for a construction permit or an amendment to a
1-19 construction permit, a special permit, or an operating permit for a
1-20 facility that may emit air contaminants, the commission shall send
1-21 notice of the application to the state senator and representative
1-22 who represent the area in which the facility is or will be located.

1-23 (b) In addition to the notice required by Subsection (a),
1-24 for an application that relates to an existing or proposed concrete
1-25 batch plant, on receiving an application for a construction permit,
1-26 an amendment to a construction permit, an operating permit, or an
1-27 authorization to use a standard permit, the commission shall send
1-28 notice of the application:

1-29 (1) to the county judge of the county in which the
1-30 facility is or will be located; and

1-31 (2) if the facility is or will be located in a
1-32 municipality or the extraterritorial jurisdiction of a
1-33 municipality, to the extent that the offices or positions exist in
1-34 the municipality, to:

1-35 (A) the presiding officer and each member of the
1-36 municipality's governing body; and

1-37 (B) the city manager or city administrator of the
1-38 municipality.

1-39 SECTION 2. The notice provisions under Section 382.0516,
1-40 Health and Safety Code, as amended by this Act, apply only to an
1-41 application for a permit that is submitted to the Texas Commission
1-42 on Environmental Quality on or after the effective date of this Act.

1-43 SECTION 3. This Act takes effect September 1, 2007.

1-44 * * * * *