

By: Frost

H.B. No. 3805

Substitute the following for H.B. No. 3805:

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C.S.H.B. No. 3805

A BILL TO BE ENTITLED

AN ACT

relating to the use of sediment control ponds to satisfy certain environmental and safety requirements at surface coal mining operations.

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

SECTION 1. Section 11.142(d), Water Code, is amended to read as follows:

(d) Without obtaining a permit, a person may construct or maintain a reservoir for the sole purpose of sediment control and divert and use the water to satisfy environmental and safety regulations for fire or dust suppression applicable to ~~[as part of]~~ a surface coal mining operation under Chapter 134, Natural Resources Code ~~[the Texas Surface Coal Mining and Reclamation Act (Article 5920-11, Vernon's Texas Civil Statutes)]~~.

SECTION 2. Not later than January 1, 2010, the Texas Commission on Environmental Quality shall adopt rules to implement Section 11.142(d), Water Code, as amended by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.