

By: Farabee

H.B. No. 4206

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that an applicant for a permit to
3 construct an electric generating facility demonstrate that a
4 sufficient amount of water is available for use in connection with
5 the operation of the facility.

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

7 SECTION 1. Section 382.0518, Health and Safety Code, is
8 amended by adding Subsection (j) to read as follows:

9 (j) Notwithstanding Subsection (b), the commission may not
10 grant a permit to construct an electric generating facility unless
11 the applicant for the permit submits to the commission and the
12 appropriate regional water planning group a study that demonstrates
13 that a sufficient amount of water is available in the applicable
14 regional water planning area for use in connection with the
15 operation of the facility.

16 SECTION 2. The change in law made by this Act applies only
17 to an application for a permit or permit amendment that is submitted
18 to the Texas Commission on Environmental Quality on or after the
19 effective date of this Act. An application for a permit or permit
20 amendment that was submitted to the Texas Commission on
21 Environmental Quality before the effective date of this Act is
22 governed by the law in effect at the time the application was filed,
23 and the former law is continued in effect for that purpose.

24 SECTION 3. This Act takes effect September 1, 2009.