

By: Simmons

H.B. No. 1873

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on the expansion of certain landfills.

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

SECTION 1. Subchapter C, Chapter 361, Health and Safety Code, is amended by adding Section 361.1231 to read as follows:

Sec. 361.1231. LIMITATION ON EXPANSION OF CERTAIN LANDFILLS. (a) This section applies only to a Type I municipal solid waste landfill that is located in a municipality or the extraterritorial jurisdiction of a municipality that is located in a county with a population of more than 600,000.

(b) Notwithstanding any other provision of this subchapter, the commission may not approve an application for the issuance, amendment, or renewal of a permit that seeks to expand the area or capacity of a landfill unless the governing body of each local government in whose territory the landfill is located first approves by resolution or order the issuance, amendment, or renewal of the permit.

(c) The commission shall provide the members of the legislature who represent the district containing the landfill described in the permit with an opportunity to comment on the application and shall consider those comments in evaluating an application under this subchapter.

SECTION 2. The changes in law made by this Act apply only to an application for the issuance, amendment, or renewal of a permit

1 pending before the Texas Commission on Environmental Quality on or
2 after the effective date of this Act. A permit issued, amended, or
3 renewed before the effective date of this Act is governed by the law
4 in effect when the permit was issued, amended, or renewed, and the
5 former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2013.