

By: Villalba

H.B. No. 2823

A BILL TO BE ENTITLED

AN ACT

1
2 relating to expedited permitting and economic development;
3 authorizing a surcharge.

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

5 SECTION 1. Subchapter C, Chapter 382, Health and Safety
6 Code, is amended by adding Section 382.0685 to read as follows:

7 Section 382.0685. Expedited Permits.

8 (a) The commission shall adopt a program to expedite the
9 processing of permits, amendments, registrations, or variances.

10 (b) The expedited permit program shall authorize the
11 expedited processing of permits at the request of an applicant if
12 the executive director determines that the project will benefit
13 the local or state economy.

14 (c) The commission may issue an expedited permit provided
15 the application is found to meet all otherwise applicable federal
16 requirements and all otherwise applicable statutory and regulatory
17 requirements under this chapter, including notice and opportunity
18 for comment or hearing.

19 (d) The commission shall establish a surcharge on the
20 standard permit application fee for an expedited permit
21 application sufficient to cover all expenses associated with the
22 expediting, including overtime, incentive pay, contract labor, and
23 other costs.

24 (e) The commission may elect to authorize the use of

1 overtime, financial or other incentives, or contract labor in
2 support of the expedited permitting program. Use of overtime,
3 incentives, compensatory time, contract labor or other means shall
4 not be used in the calculation of the commission's limit on the
5 number of full time equivalent employees.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.