

By: Uresti

S.B. No. 1756

A BILL TO BE ENTITLED

AN ACT

relating to the expedited processing of certain applications for permits under the Clean Air Act; authorizing a surcharge.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.05155 to read as follows:

Sec. 382.05155. EXPEDITED PROCESSING OF APPLICATION. (a)

An applicant, in a manner prescribed by the commission, may request the expedited processing of an application filed under this chapter if the applicant demonstrates that the purpose of the application will benefit the economy of this state or an area of this state.

(b) The executive director shall grant an expedited processing request if the executive director determines that granting the request will benefit the economy of this state or an area of this state.

(c) The expediting of an application under this section does not affect applicable federal, state, and regulatory requirements, including the notice, opportunity for a public hearing, and submission of public comment required under this chapter.

(d) The commission by rule may add a surcharge to an application fee assessed under this chapter for an expedited application in an amount sufficient to cover the expenses incurred by the expediting, including overtime, incentive pay, contract labor, and other costs.

1 (e) The commission may authorize the use of overtime,
2 financial or other incentives, or contract labor to process
3 expedited applications. The overtime, incentives, or contract
4 labor authorized under this section is not included in the
5 calculation of the number of full-time equivalent commission
6 employees allotted under other law.

7 SECTION 2. As soon as practicable after the effective date
8 of this Act, the Texas Commission on Environmental Quality shall
9 adopt rules necessary to implement Section 382.05155, Health and
10 Safety Code, as added by this Act.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2013.