

1-1 By: Uresti S.B. No. 1756  
 1-2 (In the Senate - Filed March 8, 2013; March 25, 2013, read  
 1-3 first time and referred to Committee on Natural Resources;  
 1-4 April 15, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 10, Nays 1;  
 1-6 April 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18		X		
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1756 By: Uresti

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the expedited processing of certain applications for  
 1-24 permits under the Clean Air Act; authorizing a surcharge.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subchapter C, Chapter 382, Health and Safety  
 1-27 Code, is amended by adding Section 382.05155 to read as follows:

1-28 Sec. 382.05155. EXPEDITED PROCESSING OF APPLICATION. (a)  
 1-29 An applicant, in a manner prescribed by the commission, may request  
 1-30 the expedited processing of an application filed under this chapter  
 1-31 if the applicant demonstrates that the purpose of the application  
 1-32 will benefit the economy of this state or an area of this state.

1-33 (b) The executive director shall grant an expedited  
 1-34 processing request if the executive director determines that  
 1-35 granting the request will benefit the economy of this state or an  
 1-36 area of this state.

1-37 (c) The expediting of an application under this section does  
 1-38 not affect a contested case hearing or applicable federal, state,  
 1-39 and regulatory requirements, including the notice, opportunity for  
 1-40 a public hearing, and submission of public comment required under  
 1-41 this chapter.

1-42 (d) The commission by rule may add a surcharge to an  
 1-43 application fee assessed under this chapter for an expedited  
 1-44 application in an amount sufficient to cover the expenses incurred  
 1-45 by the expediting, including overtime, incentive pay, contract  
 1-46 labor, and other costs.

1-47 (e) The commission may authorize the use of overtime,  
 1-48 financial or other incentives, or contract labor to process  
 1-49 expedited applications. The overtime, incentives, or contract  
 1-50 labor authorized under this section is not included in the  
 1-51 calculation of the number of full-time equivalent commission  
 1-52 employees allotted under other law.

1-53 (f) The commission may pay for compensatory time, overtime,  
 1-54 financial or other incentives, or contract labor used to implement  
 1-55 this section.

1-56 SECTION 2. As soon as practicable after the effective date  
 1-57 of this Act, the Texas Commission on Environmental Quality shall  
 1-58 adopt rules necessary to implement Section 382.05155, Health and  
 1-59 Safety Code, as added by this Act.

1-60 SECTION 3. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as  
2-2 provided by Section 39, Article III, Texas Constitution. If this  
2-3 Act does not receive the vote necessary for immediate effect, this  
2-4 Act takes effect September 1, 2013.

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