

By: Springer, Guillen, Kacal,
King of Hemphill, Ashby

H.B. No. 1269

A BILL TO BE ENTITLED

AN ACT

relating to supplemental environmental projects implemented by certain local governments in lieu of administrative penalties assessed by the Texas Commission on Environmental Quality.

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

SECTION 1. The heading to Section 7.067, Water Code, is amended to read as follows:

Sec. 7.067. SUPPLEMENTAL ENVIRONMENTAL PROJECTS IN GENERAL.

SECTION 2. Subchapter C, Chapter 7, Water Code, is amended by adding Section 7.0671 to read as follows:

Sec. 7.0671. SUPPLEMENTAL ENVIRONMENTAL PROJECTS IMPLEMENTED BY CERTAIN LOCAL GOVERNMENTS. (a) In this section, "local government" and "supplemental environmental project" have the meanings assigned by Section 7.067.

(b) Notwithstanding Section 7.067(a-1), the commission shall approve a supplemental environmental project described by that subsection in lieu of payment of an administrative penalty under this subchapter if the respondent is:

(1) a county with a population of less than 50,000; or

(2) another local government any part of the territory of which is located in a county described by Subdivision (1).

(c) If the cost of a supplemental environmental project under this section is less than the amount of the penalty in lieu of

1 which the project is to be implemented, the respondent, in addition
2 to implementing the project, shall spend an amount equal to the
3 difference between the cost of the project and the amount of the
4 penalty in upgrading the facility at which the violation for which
5 the penalty was assessed occurred.

6 (d) A policy developed under Section 7.067(a-2) does not
7 apply to a respondent to which this section applies.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2015.