

By: Fraser, et al.
(Kefffer)

S.B. No. 521

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the period for which the Texas Commission on
3 Environmental Quality may grant or renew an emergency authorization
4 relating to the use of state water.

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

6 SECTION 1. Section 11.139, Water Code, is amended by
7 amending Subsection (a) and adding Subsection (a-1) to read as
8 follows:

9 (a) Except as provided by Section 11.148 [~~of this code~~], the
10 commission may grant an emergency permit, order, or amendment to an
11 existing permit, certified filing, or certificate of adjudication
12 after notice to the governor for an initial period of not more than
13 270 [~~120~~] days if the commission finds that:

14 (1) emergency conditions exist which present an
15 imminent threat to the public health and safety and which override
16 the necessity to comply with established statutory procedures; and

17 (2) there are no feasible practicable alternatives to
18 the emergency authorization.

19 (a-1) Such emergency action may be renewed once for not
20 longer than 60 days.

21 SECTION 2. The change in law made by this Act applies only
22 to an application for an emergency authorization or renewal of an
23 emergency authorization that is submitted to the Texas Commission
24 on Environmental Quality on or after the effective date of this Act.

1 An application for an emergency authorization or renewal of an
2 emergency authorization that is submitted to the commission before
3 the effective date of this Act is governed by the law in effect
4 immediately before the effective date of this Act, and that law is
5 continued in effect for that purpose.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the 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, 2015.