

By: Nelson

S.B. No. 879

A BILL TO BE ENTITLED

AN ACT

relating to the review by certain governmental entities of a permit application for a solid waste facility.

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

SECTION 1. Section 361.067, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) If the commission determines that a permit application submitted to it is administratively complete, it shall mail a copy of the application or a summary of its contents to:

(1) the mayor and health authority of:

(A) each [a] municipality in whose territorial limits or extraterritorial jurisdiction the solid waste facility is located; and

(B) each municipality with a boundary located not more than one mile from the facility; and

(2) the county judge and the health authority of the county in which the facility is located.

(c) Notwithstanding any other provision of this subchapter, the commission:

(1) when acting on an application, shall consider comments and recommendations submitted by a recipient of information under Subsection (a); and

(2) may deny or amend an application based on comments

1 and recommendations submitted by a recipient of information under
2 Subsection (a).

3 SECTION 2. Section 361.067, Health and Safety Code, as
4 amended by this Act, applies only to an application for the
5 issuance, amendment, or renewal of a permit pending before the
6 Texas Commission on Environmental Quality on or after the effective
7 date of this Act. A permit issued, amended, or renewed before the
8 effective date of this Act is governed by the law in effect when the
9 permit was issued, amended, or renewed, and the former law is
10 continued in effect for that purpose.

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, 2015.