

By: Huffines

S.B. No. 1605

A BILL TO BE ENTITLED

AN ACT

relating to an expedited permit program for permits issued by the Texas Commission on Environmental Quality.

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

SECTION 1. Subchapter D, Chapter 5, Water Code, is amended by adding Section 5.136 to read as follows:

Sec. 5.136. EXPEDITED PERMIT PROGRAM. (a) The commission by rule shall create a program for the expedited issuance and renewal of all permits issued by the commission other than permits by rule, general permits, or standard permits.

(b) Rules adopted under this section shall:

(1) allow for public comments to be submitted only online;

(2) require an applicant for an expedited permit or permit renewal to pay a fee in an amount not more than twice the fee required for a nonexpedited permit or permit renewal of the same type; and

(3) require the commission to grant or deny an expedited permit or permit renewal not later than the 60th day after the date the permit or permit renewal application is received by the commission.

(c) The commission may waive the requirement in Subsection (b)(3) on a majority vote of the commission after notice and a public hearing as provided by commission rule.

1 (d) If federal regulations prevent compliance with
2 Subsection (b)(3), the commission shall:

3 (1) clearly and publicly identify the relevant federal
4 regulation that prevents compliance; and

5 (2) if possible, apply for a waiver that would allow
6 compliance.

7 SECTION 2. The Texas Commission on Environmental Quality
8 shall adopt rules to establish an expedited permit program as
9 required by Section 5.136, Water Code, as added by this Act, as soon
10 as practicable after the effective date of this Act.

11 SECTION 3. This Act takes effect September 1, 2015.