

By: Isaac

H.B. No. 3004

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal of protests against certain decisions and actions of the Texas Commission on Environmental Quality regarding wastewater discharge permits.

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

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0284 to read as follows:

Sec. 26.0284. DISMISSAL OF CERTAIN PROTESTS. (a) In this section, "protest" means:

(1) a request that the commission hold a contested case hearing on an application for a wastewater discharge permit;

(2) a request that the commission reconsider the executive director's decision to issue a wastewater discharge permit;

(3) a motion requesting that the commission overturn the executive director's issuance of a wastewater discharge permit;
or

(4) a motion requesting that the commission review its decision denying a request for a contested case hearing on an application for a wastewater discharge permit or approving an application for a wastewater discharge permit after a contested case hearing has been conducted.

(b) The commission shall dismiss a protest if the protest is filed by a municipality that is subject to less stringent

1 wastewater treatment requirements than the requirements
2 established by the permit.

3 SECTION 2. The changes in law made by this Act apply only to
4 a request or motion filed with the Texas Commission on
5 Environmental Quality on or after the effective date of this Act. A
6 request or motion filed before the effective date of this Act is
7 governed by the law in effect on the date the request or motion was
8 filed, and the former law is continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2017.