86R5054 SLB-D

By:  Thompson of Brazoria H.B. No. 1963

A BILL TO BE ENTITLED

AN ACT

relating to contested case hearings conducted on behalf of the Texas Commission on Environmental Quality on matters involving municipal solid waste permits.

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

SECTION 1.  Section 2003.047, Government Code, is amended by adding Subsections (d-1) and (l-1) to read as follows:

(d-1)  For the purposes of Subsection (d), to be eligible to preside at a hearing related to a permit for a municipal solid waste facility, an administrative law judge must have experience with solid waste engineering or management.

(l-1)  For a hearing related to a permit for a municipal solid waste facility, the administrative law judge shall:

(1)  present the findings of fact, conclusions of law, and any ultimate findings under Subsection (l) at an open meeting of the commission; and

(2)  answer questions related to the findings and conclusions asked by the commissioners.

SECTION 2.  The changes in law made by this Act apply only to a contested case hearing related to a permit for a municipal solid waste facility that is set by the State Office of Administrative Hearings on or after the effective date of this Act. A hearing set before the effective date of this Act, or any decision issued or appealed from the hearing, is governed by the law in effect when the hearing was set, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.