

By: Thompson of Brazoria

H.B. No. 1436

A BILL TO BE ENTITLED

AN ACT

relating to the approval of permits for solid waste facilities.

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

SECTION 1. Section 361.061, Health and Safety Code, is amended to read as follows:

Sec. 361.061. PERMITS; SOLID WASTE FACILITY. (a) Except as provided by Section 361.090 with respect to certain industrial solid waste, the commission may require and issue permits authorizing and governing the construction, operation, and maintenance of the solid waste facilities used to store, process, or dispose of solid waste under this chapter.

(b) The commission may not approve or allow special conditions for the approval of an application for a permit or an amendment to a permit issued under this chapter unless the applicant has satisfied all the requirements of this chapter, rules adopted under this chapter, and other requirements of state and local law, including requirements relating to authorizations from local governments and requirements relating to siting in a floodplain.

SECTION 2. Section 361.061(b), Health and Safety Code, as added by this Act, applies only to an application for a permit or the amendment of a permit pending before the Texas Commission on Environmental Quality on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2019.