

By: Lozano

H.B. No. 1747

A BILL TO BE ENTITLED

AN ACT

relating to the expedited processing of certain applications for permits under the Clean Air Act; use of revenue.

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

SECTION 1. Section 322.05155, Health and Safety Code, is amended to read as follows:

Sec. 382.05155. EXPEDITED PROCESSING OF APPLICATION.

(a) An applicant, in a manner prescribed by the commission, may request the expedited processing of an application filed under this chapter if the applicant demonstrates that the purpose of the application will benefit the economy of this state or an area of this state.

(b) The executive director may grant an expedited processing request if the executive director determines that granting the request will benefit the economy of this state or an area of this state.

(c) The expediting of an application under this section does not affect a contested case hearing or applicable federal, state, and regulatory requirements, including the notice, opportunity for a public hearing, and submission of public comment required under this chapter.

(d) The commission by rule may add a surcharge to an application fee assessed under this chapter for an expedited application in an amount sufficient to cover the expenses incurred

1 by the expediting, including overtime, contract labor, and other
2 costs.

3 (e) The commission shall be appropriated any revenue from
4 fee revenues collected and deposited to the account from expedited
5 permit review surcharges assessed in accordance with this section.

6 ~~(e)~~ (f) The commission may authorize the use of overtime or
7 contract labor to process expedited applications. The overtime or
8 contract labor authorized under this section is not included in the
9 calculation of the number of full-time equivalent commission
10 employees allotted under other law.

11 ~~(f)~~ (g) The commission may pay for compensatory time,
12 overtime, or contract labor used to implement this section.

13 ~~(g)~~ (h) A rule adopted under this section must be consistent
14 with Chapter [2001](#), Government Code. A rule adopted under this
15 section regarding notice must include a provision to require an
16 indication that the application is being processed in an expedited
17 manner.