

By: Israel

H.B. No. 4136

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on the expansion of certain landfills near a rail corridor.

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

SECTION 1. The heading to Section 361.1231, Health and Safety Code, is amended to read as follows:

Sec. 361.1231. LIMITATION ON EXPANSION OF MUNICIPALLY OWNED ~~[CERTAIN]~~ LANDFILLS PERMITTED BEFORE 1980.

SECTION 2. Subchapter C, Chapter 361, Health and Safety Code, is amended by adding Section 361.1232 to read as follows:

Sec. 361.1232. LIMITATION ON EXPANSION OF LANDFILLS NEAR RAIL CORRIDOR. (a) This section applies only to a landfill located:

(1) less than one mile from:

(A) an existing rail corridor; or

(B) a proposed rail corridor contained in the plans of a metropolitan planning organization; and

(2) in a county with a population of more than 850,000 and less than 1.5 million.

(b) Notwithstanding another provision of this subchapter, the commission may not approve an application for the issuance, amendment, or renewal of a permit to expand the area of a municipal solid waste landfill to a location that is less than 3,500 feet from a residential building that exists at the time of the application.

1 SECTION 3. The change in law made by this Act applies only
2 to an application for the issuance, amendment, or renewal of a
3 permit pending before the Texas Commission on Environmental Quality
4 on or after the effective date of this Act. A permit issued,
5 amended, or renewed before the effective date of this Act is
6 governed by the law in effect when the permit was issued, amended,
7 or renewed, and the former law is continued in effect for that
8 purpose.

9 SECTION 4. This Act takes effect September 1, 2019.