

By: Ordaz

H.B. No. 50

A BILL TO BE ENTITLED

AN ACT

relating to the provision by the Texas Commission on Environmental Quality of certain information in a language other than English.

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

SECTION 1. Subchapter E, Chapter 5, Water Code, is amended by adding Section 5.1731 to read as follows:

Sec. 5.1731. DUTY TO RESPOND IN LANGUAGE RECEIVED. The commission shall respond to a request for information, public comment, response to notice, or other inquiry or correspondence within the jurisdiction of the commission in the language in which the matter was received by the commission.

SECTION 2. Subchapter M, Chapter 5, Water Code, is amended by adding Section 5.5531 to read as follows:

Sec. 5.5531. MAILED NOTICE IN ALTERNATIVE LANGUAGE. (a) A notice required to be mailed under this subchapter or under Chapter 26 or 27 of this code or Chapter 361, Health and Safety Code, other than a notice required to be mailed under Subchapter F or V, Chapter 361, Health and Safety Code, must be sent in the alternative language in which a bilingual education program is or would have been taught if either the elementary or middle school nearest to the facility or proposed facility is required to provide a bilingual education program as required by Subchapter B, Chapter 29, Education Code, and:

(1) students are enrolled in a program at that school;

1 (2) students from that school attend a bilingual
2 education program at another location; or

3 (3) the school that otherwise would be required to
4 provide a bilingual education program has been granted an exception
5 from the requirements to provide the program as provided by rules of
6 the Texas Education Agency.

7 (b) The applicant shall pay the costs associated with
8 mailing notice under this section, including costs for the
9 translation of the notice into a language other than English.

10 SECTION 3. Section 5.554, Water Code, is amended to read as
11 follows:

12 Sec. 5.554. PUBLIC MEETING. (a) During the public comment
13 period, the executive director may hold one or more public meetings
14 in the county in which the facility is located or proposed to be
15 located. The executive director shall hold a public meeting:

16 (1) on the request of a member of the legislature who
17 represents the general area in which the facility is located or
18 proposed to be located; or

19 (2) if the executive director determines that there is
20 substantial public interest in the proposed activity.

21 (b) If notice of the public meeting was required to be
22 mailed in a language other than English under Section 5.5531, the
23 commission shall provide in each language in which the notice was
24 required to be sent:

25 (1) a simultaneous translation of a public meeting by
26 a translator proficiently skilled at translating the applicable
27 language; and

1 (2) a translation of the transcript of the meeting.

2 (c) A transcript produced under Subsection (b)(2) must be:

3 (1) paid for by the applicant for the proposed
4 activity; and

5 (2) made publicly available in the same manner and
6 from the same location as other written or audio records of the
7 meeting.

8 SECTION 4. Section 5.555, Water Code, is amended by adding
9 Subsection (c) to read as follows:

10 (c) If a notice associated with the permit or other
11 authorization is required to be mailed in a language other than
12 English under Section 5.5531, the commission shall provide a
13 translation of the responses to public comment in each language in
14 which the notice was required to be sent. The applicant shall pay
15 the costs associated with a translation made under this subsection.

16 SECTION 5. Subchapter M, Chapter 5, Water Code, as amended
17 by this Act, applies only to a permit application or an application
18 for a municipal setting designation that is filed with the Texas
19 Commission on Environmental Quality on or after the effective date
20 of this Act. A permit application or an application for a municipal
21 setting designation filed before the effective date of this Act is
22 governed by the law in effect on the date of filing, and that law is
23 continued in effect for that purpose.

24 SECTION 6. This Act takes effect September 1, 2023.