

By: Lopez of Bexar

H.B. No. 441

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to providing notice to a state representative and senator  
3 of an administrative penalty assessed by the Texas Commission on  
4 Environmental Quality.

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

6 SECTION 1. Section 7.060, Water Code, is amended to read as  
7 follows:

8 Sec. 7.060. NOTICE OF PENALTY. If the commission is  
9 required to give notice of a penalty under Section 7.057 or 7.059,  
10 the commission shall:

11 (1) publish notice of its decision in the Texas  
12 Register not later than the 10th day after the date on which the  
13 decision is adopted; and

14 (2) notify the state representative and state senator  
15 who represent the area where the violation for which the penalty is  
16 being assessed occurred.

17 SECTION 2. Section 7.075(a), Water Code, is amended to read  
18 as follows:

19 (a) Before the commission approves an administrative order  
20 or proposed agreement to settle an administrative enforcement  
21 action initiated under this subchapter to which the commission is a  
22 party, the commission shall:

23 (1) allow the public to comment in writing on the  
24 proposed order or agreement;

1           (2) publish notice [~~. Notice~~] of the opportunity to  
2 comment on the proposed order or agreement [~~shall be published~~] in  
3 the Texas Register not later than the 30th day before the date on  
4 which the public comment period closes; and

5           (3) notify the state representative and state senator  
6 who represent the area in which the violation that is the subject of  
7 the proposed order or agreement occurred.

8           SECTION 3. This Act takes effect September 1, 2023.