

By: Walle

H.B. No. 758

A BILL TO BE ENTITLED

AN ACT

relating to the deadline to request a contested case hearing on an authorization to use a standard permit for a concrete plant.

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

SECTION 1. Section 382.058, Health and Safety Code, is amended by adding Subsection (e) to read as follows:

(e) This subsection applies only to a request that the commission hold a contested case hearing on an authorization to use a standard permit issued under Section 382.05195 for a concrete plant that performs wet batching, dry batching, or central mixing. Notwithstanding Section 5.556, Water Code, the commission must allow the filing of the request at any time during the public comment period on the authorization, including during any extension of the public comment period for public meetings.

SECTION 2. The Texas Commission on Environmental Quality shall adopt rules to implement the changes in law made by this Act not later than December 31, 2023.

SECTION 3. The changes in law made by this Act apply only to an application for an authorization to use a standard permit that is submitted to the Texas Commission on Environmental Quality on or after December 31, 2023. An application that was submitted to the Texas Commission on Environmental Quality before that date is governed by the law in effect at the time the application was filed, and the former law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2023.