

By: Miles, et al. S.B. No. 813
(Lopez of Bexar, Reynolds, Morales Shaw, Guerra, Zwiener)

A BILL TO BE ENTITLED

AN ACT

relating to providing notice to a state representative and senator of certain administrative actions of the Texas Commission on Environmental Quality.

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

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

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

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

(2) if required by Subsection (b), notify the state representative and state senator who represent the area where the violation for which the penalty is being assessed occurred.

(b) The commission shall:

(1) affirmatively offer each state representative and state senator the opportunity to receive notice under Subsection (a)(2); and

(2) provide appropriate notice to each representative or senator who elects to receive notice under this section.

SECTION 2. Section 7.075, Water Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as

1 follows:

2 (a) Before the commission approves an administrative order
3 or proposed agreement to settle an administrative enforcement
4 action initiated under this subchapter to which the commission is a
5 party, the commission shall:

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

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

12 (3) if required by Subsection (a-1), notify the state
13 representative and state senator who represent the area in which
14 the violation that is the subject of the proposed order or agreement
15 occurred.

16 (a-1) The commission shall:

17 (1) affirmatively offer each state representative and
18 state senator the opportunity to receive notice under Subsection
19 (a)(3); and

20 (2) provide appropriate notice to each representative
21 or senator who elects to receive notice under this section.

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