

By: Miles

S.B. No. 1531

A BILL TO BE ENTITLED

AN ACT

relating to written objections to the proposed installation or modification of a stationary LP-Gas installation.

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

SECTION 1. The heading to Subchapter M, Chapter 113, Natural Resources Code, is amended to read as follows:

SUBCHAPTER M. REQUIRED NOTICES; WRITTEN OBJECTION [~~CONSUMER SAFETY NOTIFICATION~~]

SECTION 2. The heading to Section 113.401, Natural Resources Code, is amended to read as follows:

Sec. 113.401. CONSUMER SAFETY NOTIFICATION [~~NOTICE REQUIRED~~].

SECTION 3. Subchapter M, Chapter 113, Natural Resources Code, is amended by adding Sections 113.402 and 113.403 to read as follows:

Sec. 113.402. NOTICE FOR CERTAIN STATIONARY LP-GAS INSTALLATIONS. (a) For a proposed installation or modification of a stationary LP-gas installation with an aggregate water capacity of 10,000 gallons or more, the commission shall require the applicant to mail notice containing the information required by the commission by registered or certified mail, return receipt requested, or by an other form of mail that provides proof of delivery, to all owners of real property situated within 500 feet of the proposed container location.

1 (b) The applicant shall maintain a record of the proof of
2 delivery for a period of time determined by the commission.

3 (c) The commission may exempt from the requirements of this
4 section certain installations where LP-gas containers of 10,000
5 gallons or more aggregate water capacity are used as fuel storage
6 supply for asphalt heating.

7 Sec. 113.403. WRITTEN OBJECTION. (a) Not later than the
8 30th day after the date a person receives notice under Section
9 113.402, the person may file with the commission written objection
10 to the application for the proposed installation or modification
11 that is the subject of the notice.

12 (b) The written objection shall be made part of the record
13 and one copy of the written objection shall be furnished to the
14 operator and the person who filed the objection.

15 (c) The commission shall notify a person who filed a written
16 objection under Subsection (a) of any deficiency with the person's
17 written objection and provide the person 15 days to correct the
18 deficiency.

19 SECTION 4. The change in law made by this Act applies only
20 to an application for the installation or modification of a
21 stationary LP-gas installation that is filed with the Railroad
22 Commission of Texas on or after the effective date of this Act. An
23 application for the installation or modification of a stationary
24 LP-gas installation that is filed before the effective date of this
25 Act is governed by the law in effect on the date of filing, and that
26 law is continued in effect for that purpose.

27 SECTION 5. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2023.