

By: Anchía

H.B. No. 2722

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the denial of certain applications for a permit or other
3 authorization under the Texas Clean Air Act on the basis of certain
4 adverse impacts.

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

6 SECTION 1. Subchapter C, Chapter 382, Health and Safety
7 Code, is amended by adding Section 382.0595 to read as follows:

8 Sec. 382.0595. DENIAL OF CERTAIN APPLICATIONS FOR PERMIT OR
9 OTHER AUTHORIZATION ON BASIS OF CERTAIN ADVERSE IMPACTS.

10 Notwithstanding any other law, the commission shall deny an
11 application for a permit or other authorization under this chapter
12 that is subject to new source review if the commission determines
13 that emissions from the facility that is the subject of the
14 application will have a disproportionately adverse effect on the
15 health, property, or environment of a low-income population in the
16 vicinity of the facility as compared to the effects of those
17 emissions on other populations in the area. In making the
18 determination, the commission shall consider the facility's
19 individual effect and the overall cumulative effect of the facility
20 on a low-income population in conjunction with other proposed or
21 existing facilities in the area.

22 SECTION 2. Section 382.0595, Health and Safety Code, as
23 added by this Act, applies only to an application for a permit or
24 other authorization that is filed with the Texas Commission on

1 Environmental Quality on or after the effective date of this Act.
2 An application for a permit or other authorization filed before the
3 effective date of this Act is governed by the law in effect on the
4 date of the filing, and the former law is continued in effect for
5 that purpose.

6 SECTION 3. This Act takes effect September 1, 2025.