

By: Alvarado

S.B. No. 1264

A BILL TO BE ENTITLED

AN ACT

relating to corrective action plans for certain emissions events.

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

SECTION 1. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.02165 to read as follows:

Sec. 382.02165. LOCAL AIR POLLUTION CONTROL PROGRAM NOTICE AND INPUT ON CORRECTIVE ACTION PLAN FOR EMISSIONS EVENT. (a) In this section, "emissions event" has the meaning assigned by Section 382.0215.

(b) This section applies only to an excessive emissions event:

(1) for which the commission requires a facility to take action under Section 382.0216(c) to reduce emissions from the excessive emissions event; and

(2) that occurs in the jurisdiction of a local government that operates an air pollution control program.

(c) The commission shall notify each applicable local air pollution control program of an excessive emissions event occurring in the jurisdiction of the local government that operates the program. The commission shall provide the notice required by this subsection at the time the commission notifies the facility of the excessive emissions event.

(d) On receipt of a corrective action plan filed under Section 382.0216(c), the commission shall provide each local air

1 pollution control program described by Subsection (c) of this
2 section with not less than 30 days to provide comments on the
3 corrective action plan.

4 (e) The commission may disapprove a corrective action plan
5 before the expiration of the period described by Subsection (d) but
6 may not approve the plan before the expiration of that period.

7 (f) If the commission approves the corrective action plan,
8 the commission shall provide the approved plan to each local air
9 pollution control program described by Subsection (c).

10 (g) Comments provided by a local air pollution control
11 program under Subsection (d) are not subject to public disclosure
12 under Chapter 552, Government Code.

13 SECTION 2. Section 382.02165, Health and Safety Code, as
14 added by this Act, applies only to an excessive emissions event that
15 occurs on or after the effective date of this Act. An excessive
16 emissions event that occurs before the effective date of this Act is
17 governed by the law in effect on the date the emissions event
18 occurred, and the former law is continued in effect for that
19 purpose.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2025.