

By: Sparks, et al.

S.B. No. 2037

A BILL TO BE ENTITLED

AN ACT

relating to permit application review and contested case procedures for environmental permits involving a project to construct or modify a liquefied natural gas export terminal; authorizing a fee.

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

SECTION 1. Section 5.555, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) With respect to a permit application filed with the commission for a project to construct or modify a liquefied natural gas export terminal or a renewal of that permit, the executive director shall provide each response required by Subsection (a) not later than the 120th day after the close of the public comment period.

SECTION 2. Subchapter M, Chapter 5, Water Code, is amended by adding Section 5.559 to read as follows:

Sec. 5.559. PROCEDURES FOR PERMIT APPLICATION REVIEW AND CONTESTED CASES INVOLVING PROJECT TO CONSTRUCT OR MODIFY LIQUEFIED NATURAL GAS EXPORT TERMINAL. (a) This section applies only to a permit application filed with the commission for a project to construct or modify a liquefied natural gas export terminal.

(b) The commission by rule shall establish an expedited permit application review process for permit applications described by Subsection (a). Rules adopted under this subsection must require an applicant who elects the expedited permit

application review process to pay an additional fee in an amount the commission determines is necessary to cover the costs of the expedited review. The additional fee collected pursuant to this subsection is considered part of the application fee and shall be deposited and used in the manner provided for the application fee under Section 5.701.

(c) In a request for a contested case hearing involving a permit application described by Subsection (a), the party requesting the hearing must specify each reason the party is an affected person as defined by Section 5.115(a).

(d) In a contested case involving a permit application described by Subsection (a), an administrative law judge shall set a date for the preliminary hearing not later than the 30th day after the date the commission refers the case to the State Office of Administrative Hearings.

(e) The commission shall adopt rules as necessary to implement this section.

SECTION 3. Section 382.056, Health and Safety Code, is amended by adding Subsection (l-1) and amending Subsection (n) to read as follows:

(l-1) With respect to a permit application filed with the commission under Section 382.0518 for a project to construct or modify a liquefied natural gas export terminal or a renewal review of that permit under Section 382.055, the executive director shall provide each response required by Subsection (l) not later than the 120th day after the close of the public comment period.

(n) Except as provided by Section 382.0561, the commission

1 shall consider a request that the commission reconsider the  
2 executive director's decision or hold a contested case [~~public~~]  
3 hearing in accordance with the procedures provided by Sections  
4 5.556 and 5.557, Water Code.

5       SECTION 4. The change in law made by this Act applies only  
6 to a permit application for a project to construct or modify a  
7 liquefied natural gas export terminal or a renewal of that permit  
8 that is filed with the Texas Commission on Environmental Quality on  
9 or after the effective date of this Act. A permit application for a  
10 project to construct or modify a liquefied natural gas export  
11 terminal or a renewal of that permit that is pending on the  
12 effective date of this Act is governed by the law in effect at the  
13 time the application was filed, and the former law is continued in  
14 effect for that purpose.

15       SECTION 5. This Act takes effect September 1, 2025.