By: Morales Shaw H.B. No. 1252

A BILL TO BE ENTITLED

AN ACT

relating to requiring an applicant for a permit issued by the Texas Commission on Environmental Quality relating to the operation of a data center to notify the commissioners court of the county in which the data center is or will be located.

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

SECTION 1. Subchapter M-1, Chapter 5, Water Code, is amended by adding Section 5.588 to read as follows:

Sec. 5.588. NOTICE TO COUNTY COMMISSIONERS COURT OF INTENT TO APPLY FOR DATA CENTER PERMIT. (a) In this section, "data center" means a facility that is used primarily to house servers and related equipment and support staff for the processing, storage, and distribution of data.

(b) An applicant for a permit relating to the operation of a data center shall:

(1) not later than one week before the date the applicant submits the permit application to the commission, provide written notice of the application to the commissioners court of the county in which the data center to which the application relates is or will be located; and

(2) on or before the date the applicant submits the permit application to the commission, submit to the commission in the manner prescribed by commission rule proof that the applicant provided the written notice required by Subdivision (1).

(c) The commission may not issue a permit relating to the operation of a data center if the applicant has not provided proof of notice to the county commissioners court as required by Subsection (b).

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

SECTION 2. Section 5.588, Water Code, as added by this Act, applies only to a permit the application for which is filed with the Texas Commission on Environmental Quality on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2027.