

1-1 By: Kuempel (Senate Sponsor - Creighton) H.B. No. 2726
 1-2 (In the Senate - Received from the House May 7, 2019;
 1-3 May 8, 2019, read first time and referred to Committee on Natural
 1-4 Resources & Economic Development; May 16, 2019, reported favorably
 1-5 by the following vote: Yeas 8, Nays 3; May 16, 2019, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10		X		
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16		X		
1-17	X			
1-18	X			
1-19		X		

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the commencement of construction of a project following
 1-23 the issuance of a draft permit for a permit amendment to an air
 1-24 quality permit.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 382.004, Health and Safety Code, is
 1-27 amended to read as follows:

1-28 Sec. 382.004. CONSTRUCTION WHILE PERMIT AMENDMENT
 1-29 APPLICATION PENDING. (a) To the extent permissible under federal
 1-30 law, ~~and~~ notwithstanding Section 382.0518, and except as provided
 1-31 by Subsection (c), a person who submits an application for a permit
 1-32 amendment ~~[for a modification of or a lesser change to an existing~~
 1-33 ~~facility under this subtitle]~~ may, at the person's own risk, begin
 1-34 construction related to the application after the executive
 1-35 director has issued a draft permit including the permit amendment
 1-36 ~~[the application is submitted and before the commission has issued~~
 1-37 ~~the permit]~~.

1-38 (b) The commission may not consider construction begun
 1-39 under this section in determining whether to grant the permit
 1-40 amendment sought in the application.

1-41 (c) A person may not begin construction under this section
 1-42 if the facility that is the subject of the permit amendment is a
 1-43 concrete batch plant located within 880 yards of a property that is
 1-44 used as a residence.

1-45 (d) The commission shall adopt rules to implement this
 1-46 section.

1-47 SECTION 2. The changes in law made by this Act apply only to
 1-48 an application for a permit amendment filed with the Texas
 1-49 Commission on Environmental Quality on or after the effective date
 1-50 of this Act. An application for a permit amendment filed before the
 1-51 effective date of this Act is governed by the law in effect on the
 1-52 date of filing, and that law is continued in effect for that
 1-53 purpose.

1-54 SECTION 3. This Act takes effect January 1, 2020.

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