

BILL ANALYSIS

C.S.H.B. 2497
By: Dutton
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the surrounding community of a facility or proposed facility for which an environmental permit is sought is too often unaware of the permit application and therefore unable to comment on the permit's potential impact on the community. C.S.H.B. 2497 seeks to address this issue by providing for the placement of a sign with certain information at the site of the facility or proposed facility.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2497 amends the Water Code to require an applicant for an environmental permit to place, at the site of the facility or proposed facility for which the applicant is required to publish notice of intent to obtain the permit, a sign that complies with rules adopted by the Texas Commission on Environmental Quality (TCEQ) stating that an application for a permit for a facility at the site has been filed and the manner in which TCEQ may be contacted for further information.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2497 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 5.552(d), Water Code, is amended to read as follows:	SECTION 1. Section 5.552, Water Code, is amended by adding Subsection (c-1) to read as follows:
(d) In addition to providing notice under	

Subsection (b)(1), the applicant shall not later than the 30th day after the date the commission determines the application to be administratively complete:

(1) at the site of the facility or proposed facility, place a sign with dimensions not less than 16 inches by 9 inches stating:

(A) that an application for a permit for a facility at the site has been filed;

(B) the name of and contact information for the applicant;

(C) the proposed site use; and

(D) the manner in which the applicant may be contacted for further information; and

(2) comply with any applicable public notice requirements under Chapters 26 and 27 of this code, Chapter 361, Health and Safety Code, and rules adopted under those chapters.

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

SECTION 3. This Act takes effect September 1, 2017.

(c-1) At the site of the facility or proposed facility for which an applicant is required to publish notice under this section, the applicant shall place a sign that complies with rules adopted by the commission stating:

(1) that an application for a permit for a facility at the site has been filed; and

(2) the manner in which the commission may be contacted for further information.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.