

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 25-169—HB 7004 (VETOED)

Planning and Development Committee

**AN ACT AUTHORIZING MUNICIPAL REFERENDA TO CHALLENGE
CERTAIN PERMIT APPROVALS**

SUMMARY: This act would have expanded when people can petition for a town referendum to reverse a Department of Energy and Environmental Protection (DEEP) commissioner decision on whether to grant a permit to a facility in an environmental justice community. It would have done so by (1) making this process available in municipalities with populations up to 16,000, based on the most recent decennial census (rather than only those with populations up to 10,000) and (2) allowing referenda to challenge the commissioner's approval of a facility. Under current law, only denials can be challenged in this way.

By law, an elector or voter of a municipality with a population below the set threshold can petition for a town referendum on the DEEP commissioner's denial of a permit. An affirmative vote at the referendum constitutes a reversal of the commissioner's decision (meaning a permit is approved even if the commissioner denied it). Under the act, a referendum could also have been used to challenge and reverse approvals (meaning the permit would be denied).

The act also would have made technical changes in a statute on interlocal agreements between municipalities.

EFFECTIVE DATE: Upon passage, except July 1, 2025, for the interlocal agreement technical changes.

BACKGROUND

Related Act

PA 25-175, § 1, would have applied this act's changes beginning September 30, 2025.