

By: Thompson of Harris

H.B. No. 2392

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of air quality permits for concrete plants located in certain areas.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.051991 to read as follows:

Sec. 382.051991. MUNICIPAL OR COUNTY APPROVAL OF CERTAIN CONCRETE PLANTS. (a) This section applies only to a permit application for a concrete plant located or proposed to be located in:

(1) an incorporated area of a municipality that has not adopted zoning regulations and has a population of more than 2 million; or

(2) the unincorporated area of a county with a population of more than 4.5 million.

(b) For each permit application described by Subsection (a), the commission:

(1) shall send to the governing body of the municipality or county, as applicable, a copy of the application; and

(2) may not issue the permit applied for before the 31st day after the date the governing body receives the copy unless the commission receives notice that the governing body has approved the application.

1        (c) The commission may not issue a permit under Section  
2 382.0518, 382.05195, 382.05196, or 382.05198 or another provision  
3 of this chapter for a concrete plant described by Subsection (a) if  
4 the commission receives, before the 31st day after the date the  
5 governing body receives the copy of the application from the  
6 commission, notice that the governing body has rejected the  
7 application.

8        SECTION 2. Section 382.051991, Health and Safety Code, as  
9 added by this Act, applies only to an application for a permit that  
10 is filed with the Texas Commission on Environmental Quality on or  
11 after the effective date of this Act.

12        SECTION 3. This Act takes effect September 1, 2023.