

By: Miles

S.B. No. 705

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or county to request a hearing from the Texas Commission on Environmental Quality related to the construction of a concrete plant.

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

SECTION 1. Section 382.058(c), Health and Safety Code, is amended to read as follows:

(c) For purposes of this section, the only ~~[those]~~ persons who ~~[actually residing in a permanent residence within 440 yards of the proposed plant]~~ may request a hearing under Section 382.056 as a person who may be affected are:

(1) the municipality or county in which the proposed plant will be located; and

(2) persons actually residing in a permanent residence within 440 yards of the proposed plant.

SECTION 2. The change in law made by this Act applies only to an application for an authorization to use a permit that is submitted to the Texas Commission on Environmental Quality on or after the effective date of this Act. An application for an authorization to use a permit that was submitted to the Texas Commission on Environmental Quality before the effective date of this Act is governed by the law in effect at the time the application was filed, and the former law is continued in effect for that purpose.

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