

Amend CSHB 1429 (House Committee Printing) by striking SECTION 2 of the bill and substituting a new SECTION 2 to read as follows:

"SECTION 2. Section 7.052, Water Code, is amended by amending Subsection (b) and by adding Subsection (c) to read as follows:

(b) The amount of the penalty for operating a rock crusher or a concrete plant that performs wet batching, dry batching, or central mixing, that is required to obtain a permit under Section 382.0518, Health and Safety Code, and that is operating without the required permit is \$10,000. Except as provided by Subsection (c), the amount of the penalty for constructing a rock crusher described by this subsection without the required permit may not be less than \$5,000 or more than \$10,000. Each day after notice of possible violation is given to a person by the commission that a continuing violation occurs is a separate violation.

(c) In determining the amount of any penalty under Subsection (b), the commission shall, to the extent practicable, ensure that the amount of the penalty is at least equal to the value of any economic benefit gained by the alleged violator through the violation."