

By: Van Arsdale

H.B. No. 3631

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the location of a quarry and associated pits in relation
3 to residences in certain counties.

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

5 SECTION 1. Subchapter Z, Chapter 133, Natural Resources
6 Code, is amended by adding Section 133.902 to read as follows:

7 Sec. 133.902. MANDATORY DISTANCE OF QUARRY FROM RESIDENCE.

8 (a) This section applies only to a quarry located wholly in a county
9 with a population of more than 3.3 million.

10 (b) The commission by rule shall prohibit locating a new
11 quarry or expanding a pit associated with an existing quarry if any
12 part of the quarry or any part of the pit would be located less than
13 two miles from a residential structure.

14 (c) The owner or operator of a quarry any part of which,
15 including a pit associated with the quarry, is located less than two
16 miles from a residential structure may not expand the quarry or an
17 associated pit regardless of the date the residential structure was
18 built or the date the quarry operations began.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2007.