

1-1 By: Davis S.B. No. 1466  
1-2 (In the Senate - Filed March 6, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 March 25, 2009, rereferred to Committee on Transportation and  
1-5 Homeland Security; May 4, 2009, reported adversely, with favorable  
1-6 Committee Substitute by the following vote: Yeas 6, Nays 2;  
1-7 May 4, 2009, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR S.B. No. 1466 By: Davis

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to the procurement of certain cement by the Texas  
1-12 Department of Transportation.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter I, Chapter 201, Transportation Code,  
1-15 is amended by adding Section 201.711 to read as follows:

1-16 Sec. 201.711. EXPENDITURES FOR CEMENT. (a) This section  
1-17 applies only to a department contract that involves the use of  
1-18 cement that is produced in an area of the state that, on January 1,  
1-19 2009, was classified as a moderate nonattainment area for the  
1-20 eight-hour ozone standard by the United States Environmental  
1-21 Protection Agency under 42 U.S.C. Section 7511.

1-22 (b) In procuring the cement, either directly or through a  
1-23 subcontract, the department shall specify as the base bid,  
1-24 proposal, or offer, cement produced from a portland cement kiln  
1-25 that meets or exceeds regulatory requirements for emissions of  
1-26 nitrogen oxide from a portland cement kiln that:

1-27 (1) utilizes a dry raw material feed precalciner  
1-28 pyroprocessing technology; and

1-29 (2) is located in an area that, on January 1, 2009, was  
1-30 classified as a moderate nonattainment area for the eight-hour  
1-31 ozone standard by the United States Environmental Protection Agency  
1-32 under 42 U.S.C. Section 7511.

1-33 SECTION 2. Section 201.711, Transportation Code, as added  
1-34 by this Act, applies only to a request for bids, proposals, or other  
1-35 offers by or on behalf of the Texas Department of Transportation  
1-36 that relates to a contract that involves the purchase of cement that  
1-37 is published on or after September 1, 2009.

1-38 SECTION 3. This Act takes effect September 1, 2009.

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