

AN ACT

relating to the applicability of certain restrictions on the location and operation of concrete crushing facilities.

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

SECTION 1. Subsection (b), Section 382.065, Health and Safety Code, is amended to read as follows:

(b) Subsection (a) does not apply to a concrete crushing facility:

(1) at a location for which commission authorization for the operation of a concrete crushing facility was in effect on September 1, 2001; ~~or~~

(2) at a location that satisfies the distance requirements of Subsection (a) at the time the application for the initial authorization for the operation of that facility at that location is filed with the commission, provided that the authorization is granted and maintained, regardless of whether a single or multifamily residence, school, or place of worship is subsequently built or put to use within 440 yards of the facility; or

(3) that:

(A) uses a concrete crusher:

(i) in the manufacture of products that contain recycled materials; and

(ii) that is located in an enclosed

1 building; and

2 (B) is located:

3 (i) within 25 miles of an international

4 border; and

5 (ii) in a municipality with a population of

6 not less than 6,100 but not more than 20,000.

7 SECTION 2. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1250 passed the Senate on April 19, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1250 passed the House, with amendment, on May 20, 2011, by the following vote: Yeas 140, Nays 9, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor