

By: Lucio

S.B. No. 1250

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the applicability of certain restrictions on the
3 location and operation of concrete crushing facilities.

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

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

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

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

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

20 (3) at a location:

21 (A) within 25 miles of an international border;

22 (B) in a county contiguous with the Gulf of
23 Mexico;

24 (C) in a municipality with a population of not

1 less than 6,100 but not more than 100,000; and

2 (D) within one mile of a United States highway.

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