

1-1 By: Lucio S.B. No. 1250
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 13, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 13, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1250 By: Estes

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the applicability of certain restrictions on the
1-11 location and operation of concrete crushing facilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (b), Section 382.065, Health and
1-14 Safety Code, is amended to read as follows:

1-15 (b) Subsection (a) does not apply to a concrete crushing
1-16 facility:

1-17 (1) at a location for which commission authorization
1-18 for the operation of a concrete crushing facility was in effect on
1-19 September 1, 2001; ~~or~~

1-20 (2) at a location that satisfies the distance
1-21 requirements of Subsection (a) at the time the application for the
1-22 initial authorization for the operation of that facility at that
1-23 location is filed with the commission, provided that the
1-24 authorization is granted and maintained, regardless of whether a
1-25 single or multifamily residence, school, or place of worship is
1-26 subsequently built or put to use within 440 yards of the facility;

1-27 (3) that uses a concrete crusher:

1-28 (A) in the manufacture of products that contain
1-29 recycled materials; and

1-30 (B) that is located in an enclosed building; or

1-31 (4) at a location:

1-32 (A) within 25 miles of an international border;

1-33 and

1-34 (B) in a municipality with a population of not
1-35 less than 6,100 but not more than 20,000.

1-36 SECTION 2. This Act takes effect September 1, 2011.

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