

By: Hilderbran

H.B. No. 2146

A BILL TO BE ENTITLED

AN ACT

relating to limits on mining of marl, sand, gravel, shell, or mudshell in certain protected freshwater areas.

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

SECTION 1. Chapter 86, Parks and Wildlife Code, is amended by adding Section 86.0021 to read as follows:

Sec. 86.0021. NO COMMERCIAL MINING IN CERTAIN PROTECTED FRESHWATER AREAS. Notwithstanding any other provision of this chapter, the commission may not grant a permit to take more than 1,000 cubic yards of marl, sand, gravel, shell, or mudshell from a protected freshwater area, as that term is defined by Section 90.001, unless:

(1) the area covered by the permit is located east of Interstate 35 or, where Interstate 35W and Interstate 35E run parallel, east of Interstate 35E; or

(2) the marl, sand, gravel, shell, or mudshell will not be sold.

SECTION 2. The change in law made by this Act applies only to an application for a permit submitted to the Parks and Wildlife Commission under Chapter 86, Parks and Wildlife Code, on or after the effective date of this Act. An application for a permit submitted to the commission before that date is governed by the law in effect on the date the application is submitted and that law is continued in effect for that purpose.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2013.