

1-1 By: Sheffield (Senate Sponsor - Buckingham) H.B. No. 2582
 1-2 (In the Senate - Received from the House April 24, 2017;
 1-3 May 1, 2017, read first time and referred to Committee on Natural
 1-4 Resources & Economic Development; May 9, 2017, reported favorably
 1-5 by the following vote: Yeas 11, Nays 0; May 9, 2017, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to an exemption for certain quarries from regulation as
 1-23 aggregate production operations.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 28A.001(1), Water Code, is amended to
 1-26 read as follows:

1-27 (1) "Aggregate production operation" means the site
 1-28 from which aggregates are being or have been removed or extracted
 1-29 from the earth, including the entire areas of extraction, stripped
 1-30 areas, haulage ramps, and the land on which the plant processing the
 1-31 raw materials is located, exclusive of any land owned or leased by
 1-32 the responsible party not being currently used in the production of
 1-33 aggregates. For the purposes of this chapter, the term "aggregate
 1-34 production operation" does not include:

1-35 (A) a site at which the materials that are being
 1-36 removed or extracted from the earth are used or processed at the
 1-37 same site or at a related site under the control of the same
 1-38 responsible party for the production of cement or lightweight
 1-39 aggregates, or in a lime kiln;

1-40 (B) a temporary site that is being used solely to
 1-41 provide aggregate products for use in a public works project
 1-42 involving the Texas Department of Transportation or a local
 1-43 governmental entity;

1-44 (C) an extraction area from which all raw
 1-45 material is extracted for use as fill or for other construction uses
 1-46 at the same or a contiguous site; ~~or~~

1-47 (D) a site at which the materials that are being
 1-48 removed or extracted from the earth are used or processed for use in
 1-49 the construction, modification, or expansion of a solid waste
 1-50 facility at the site or another location; or

1-51 (E) a site at which:
 1-52 (i) the materials being removed or
 1-53 extracted from the earth are specialty or terrazo-type stone
 1-54 removed or extracted exclusively for decorative or artistic uses;
 1-55 and

1-56 (ii) the portion of the specialty or
 1-57 terrazo-type stone horizon that is exposed for current production
 1-58 for commercial sale in the site does not exceed five acres.

1-59 SECTION 2. This Act takes effect immediately if it receives
 1-60 a vote of two-thirds of all the members elected to each house, as
 1-61 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2017.

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