

By: Zwiener

H.B. No. 3033

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of aggregate production operations by the commissioners court in certain counties.

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

SECTION 1. The heading to Chapter 28A, Water Code, is amended to read as follows:

CHAPTER 28A. REGULATION [~~REGISTRATION AND INSPECTION~~] OF CERTAIN
AGGREGATE PRODUCTION OPERATIONS

SECTION 2. The heading to Subchapter B, Chapter 28A, Water Code, is amended to read as follows:

SUBCHAPTER B. REGISTRATION, [AND] INSPECTION, AND OPERATION

SECTION 3. Subchapter B, Chapter 28A, Water Code, is amended by adding Section 28A.055 to read as follows:

Sec. 28A.055. LOCATION OF AGGREGATE PRODUCTION OPERATIONS
IN CERTAIN COUNTIES. (a) This section applies only to a county:

(1) that is adjacent to a county with a population of
500,000 or more; and

(2) that, according to the most recent federal
decennial census, had population growth of more than 30 percent
during the decade preceding the most recent federal decennial
census.

(b) The commissioners court of a county by order may
regulate the construction of an aggregate production operation by
restricting the location of a production operation to not less than

1 one mile from a residence, school, place of worship, or hospital.

2 SECTION 4. The changes in law made by this Act apply only to
3 an aggregate production operation the construction of which begins
4 on or after the effective date of this Act. An aggregate production
5 operation that was constructed before the effective date of this
6 Act is governed by the law in effect immediately before the
7 effective date of this Act, and the former law is continued in
8 effect for that purpose.

9 SECTION 5. This Act takes effect September 1, 2019.