

By: Johnson of Harris

H.B. No. 3404

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a permit for a concrete plant located in an area of a municipality not subject to zoning regulations.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.051991 to read as follows:

Sec. 382.051991. CONCRETE PLANT NOT SUBJECT TO MUNICIPAL ZONING. (a) Notwithstanding Section 382.0518, 382.05195, or 382.05196, the commission may issue a permit under this chapter for a concrete plant located in an incorporated area of a municipality that is not subject to zoning regulations only under Section 382.05198.

(b) Notwithstanding Section 382.05199, an applicant for a permit issued under Section 382.05198 for a concrete plant located in an incorporated area of a municipality that is not subject to zoning regulations must comply with Section 382.056.

SECTION 2. Section 382.051991, Health and Safety Code, as added by this Act, applies only to an application for a permit that is filed with the Texas Commission on Environmental Quality on or after the effective date of this Act. An application for a permit filed before the effective date of this Act is governed by the law in effect on the date of filing, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2019.