

By: J. Johnson of Harris

H.B. No. 50

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the issuance of an air quality permit for a concrete
3 plant located in an area of a municipality not subject to zoning
4 regulations.

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

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

8 Sec. 382.051991. CONCRETE PLANT NOT SUBJECT TO MUNICIPAL
9 ZONING. (a) Notwithstanding Section 382.0518, 382.05195, or
10 382.05196, the commission may issue a permit under this chapter for
11 a concrete plant located in an incorporated area of a municipality
12 that is not subject to zoning regulations only under Section
13 382.05198.

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

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

1 SECTION 3. This Act takes effect September 1, 2021.