

BILL ANALYSIS

Senate Research Center

S.B. 2196
By: Hancock
Natural Resources & Economic Development
5/29/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As Texas' population continues to grow, a key element affecting the sustainability of future development is the availability of construction materials. These materials, consisting of sand, aggregate, and crushed rock and stone, are essential for every residential, commercial, industrial, and public infrastructure project. It is important for the state to be well informed on the availability of these resources.

S.B. 2196 requires the Bureau of Economic Geology at The University of Texas (bureau) to conduct a study to identify locations that are suitable for aggregate production operations, existing land uses, and potential action by political subdivisions that may result in a location becoming incompatible for use as an aggregate production operation. The bureau must map these locations and retain the information within a database to be accessed by political subdivisions and submit a report to the legislature.

(Original Author's/Sponsor's Statement of Intent)

S.B. 2196 amends current law relating to the identification and mapping of aggregate production operations by The University of Texas Bureau of Economic Geology.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 67, Education Code, by adding Section 67.73, as follows:

Sec. 67.73. IDENTIFICATION AND MAPPING OF AGGREGATE PRODUCTION OPERATIONS. (a) Defines "aggregate production operation."

(b) Requires The University of Texas Bureau of Economic Geology (bureau) to:

(1) conduct a study to identify:

(A) locations in this state suitable for aggregate production operations; and

(B) existing land uses or planning policies of political subdivisions that could result in a location identified under Paragraph (A) becoming incompatible with use as an aggregate production operation;

(2) develop and maintain a database that:

(A) maps locations identified under Subdivision (1)(A) and Section 28A.052 (Survey), Water Code; and

(B) is accessible to political subdivisions; and

(3) update the study and map described by Subdivisions (1) and (2) not less than once every 10 years.

(c) Authorizes the bureau, in fulfilling the duties described by Subsection (b), to cooperate with:

(1) the Texas Commission on Environmental Quality, the Texas Water Development Board, and any other state agency, political subdivision, or university with access to information related to aggregate production operations; and

(2) federal agencies or private entities as appropriate to fulfill the requirements of this section.

(d) Requires an agency, political subdivision, or university described by Subsection (c)(1) to provide to the bureau on request available information as necessary to fulfill the requirements of this section.

(e) Authorizes the bureau to accept gifts, grants, and donations from sources other than the state for the purpose of implementing this section.

SECTION 2. Requires the bureau to submit to the legislature, not later than December 1, 2025, a report that contains:

(1) a summary of the study conducted under Section 67.73, Education Code, as added by this Act;

(2) a map containing the locations of aggregate production operations identified by Section 67.73, Education Code, as added by this Act; and

(3) any recommendations for legislative action necessary to facilitate, if appropriate, the preservation for aggregate production operations the locations identified by Section 67.73, Education Code, as added by this Act, including any recommendations regarding existing land use or planning policies of political subdivisions.

SECTION 3. Provides that the bureau is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Provides that if the legislature does not appropriate money specifically for that purpose, the bureau is authorized, but is not required, to implement a provision of this Act using other money available for that purpose.

SECTION 4. Effective date: September 1, 2023.