

By: Thompson of Harris

H.B. No. 2391

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of a municipality or county to request a  
3 hearing from the Texas Commission on Environmental Quality related  
4 to the construction of a concrete plant.

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

6 SECTION 1. Section 382.058(c), Health and Safety Code, is  
7 amended to read as follows:

8 (c) For purposes of this section, the only ~~[those]~~ persons  
9 who ~~[actually residing in a permanent residence within 440 yards of~~  
10 ~~the proposed plant]~~ may request a hearing under Section 382.056 as a  
11 person who may be affected are:

12 (1) the municipality or county in which the proposed  
13 plant will be located; and

14 (2) persons actually residing in a permanent residence  
15 within 440 yards of the proposed plant.

16 SECTION 2. The change in law made by this Act applies only  
17 to an application for an authorization to use a permit that is  
18 submitted to the Texas Commission on Environmental Quality on or  
19 after the effective date of this Act. An application for an  
20 authorization to use a permit that was submitted to the Texas  
21 Commission on Environmental Quality before the effective date of  
22 this Act is governed by the law in effect at the time the  
23 application was filed, and the former law is continued in effect for  
24 that purpose.

1 SECTION 3. This Act takes effect September 1, 2023.