

By: Kuempel

H.B. No. 4086

A BILL TO BE ENTITLED

AN ACT

relating to the identification and mapping of aggregate production operations by The University of Texas Bureau of Economic Geology.

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

SECTION 1. Subchapter E, Chapter 67, Education Code, is amended by adding Section 67.73 to read as follows:

Sec. 67.73. IDENTIFICATION AND MAPPING OF AGGREGATE PRODUCTION OPERATIONS. (a) In this section, "aggregate production operation" has the meaning assigned by Section 28A.001, Water Code.

(b) The bureau shall:

(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, 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) In fulfilling the duties described by Subsection (b),

1 the bureau may cooperate with:

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

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

8 (d) An agency, political subdivision, or university
9 described by Subsection (c)(1) shall provide to the bureau on
10 request available information as necessary to fulfill the
11 requirements of this section.

12 SECTION 2. Not later than December 1, 2025, The University
13 of Texas Bureau of Economic Geology shall submit to the legislature
14 a report that contains:

15 (1) a summary of the study conducted under Section
16 67.73, Education Code, as added by this Act;

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

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

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