

By: Eckhardt

S.B. No. 1175

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to who may request a public hearing from the Texas  
3 Commission on Environmental Quality related to the construction of  
4 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, only a representative of a  
9 school, place of worship, licensed day-care center, hospital,  
10 nursing facility, or medical facility or a person [~~those persons~~  
11 ~~actually~~] residing [~~in a permanent residence~~] within 880 [~~440~~]  
12 yards of the proposed plant may request a hearing under Section  
13 382.056 as a person who may be affected. The commission shall adopt  
14 rules establishing who qualifies as a representative of a school,  
15 place of worship, licensed day-care center, hospital, nursing  
16 facility, or medical facility under this section.

17 SECTION 2. The change in law made by this Act applies only  
18 to an application for a permit that is submitted to the Texas  
19 Commission on Environmental Quality on or after the effective date  
20 of this Act. An application for a permit that was submitted to the  
21 Texas Commission on Environmental Quality before the effective date  
22 of 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 immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2023.