

BILL ANALYSIS

Senate Research Center
89R5517 KRM-D

S.B. 2082
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Texas law prohibits concrete crushing facilities from operating within 440 yards of single or multifamily residences, schools, and places of worship, but does not explicitly protect hospitals. This omission poses a significant problem because concrete crushing facilities generate dust, noise, and other pollutants that can endanger patients, particularly those with respiratory conditions.

In late 2023, a concrete crushing facility applied for a permit for a crusher to be located within 440 yards of Lyndon Baines Johnson Hospital—one of the largest low-income care hospitals in Houston. The community attempted to point out that people attending the hospital for possible lung conditions would be breathing in the same dust that may have caused the conditions in the first place. The Texas Commission on Environmental Quality stated that their hands were tied because Health and Safety Code Section 382.065 does not have a hospital as one of the structures that concrete crushers cannot operate within 440 yards of.

S.B. 2082 aims to address this oversight by amending Section 382.065 of the Health and Safety Code to prohibit the operation of concrete crushing facilities within 440 yards of hospitals. By extending these protections to include hospitals, the bill seeks to improve air quality and safeguard the health of vulnerable populations in medical facilities. The bill will apply only to permit applications filed on or after September 1, 2025.

As proposed, S.B. 2082 amends current law relating to the operation of a concrete crushing facility near a hospital.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Commission on Environmental Quality is modified in SECTION 1 (Section 382.065, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 382.065(a) and (b), as follows:

(a) Requires the Texas Commission on Environmental Quality (TCEQ) by rule to prohibit the operation of a concrete crushing facility within 440 yards of a building utilized for certain purposes, including as a hospital, at the time the application for a permit to operate the facility at a site near the hospital is filed with TCEQ. Makes conforming changes.

(b) Makes a conforming change to this subsection.

SECTION 2. Makes application of Section 382.065 (Certain Locations for Operating Concrete Crushing Facility Prohibited), Health and Safety Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2025.