

By: Collier

H.B. No. 1726

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, or  
10 medical facility or a person [~~those persons actually~~] residing [~~in~~  
11 ~~a permanent residence~~] within 880 [~~440~~] yards of the proposed plant  
12 may request a hearing under Section 382.056 as a person who may be  
13 affected. The commission shall adopt rules establishing who  
14 qualifies as a representative of a school, place of worship,  
15 licensed day-care center, hospital, or medical facility under this  
16 section.

17 SECTION 2. The change in law made by this Act applies only  
18 to a hearing regarding an application for a permit that is filed  
19 with the Texas Commission on Environmental Quality on or after the  
20 effective date of the rules described by Section 382.058(c), Health  
21 and Safety Code, as amended by this Act. A hearing regarding an  
22 application for a permit that was filed with the Texas Commission on  
23 Environmental Quality before the effective date of the rules  
24 described by Section 382.058(c), Health and Safety Code, as amended

1 by this Act, is governed by the law in effect at the time the  
2 application was filed, and the former law is continued in effect for  
3 that purpose.

4         SECTION 3. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2025.