

By: Eckhardt, et al.

S.B. No. 885

A BILL TO BE ENTITLED

1 AN ACT
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 a hearing regarding an application for a permit that is submitted
19 to 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 submitted to the Texas Commission
23 on 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.