

By: Miles

S.B. No. 2082

A BILL TO BE ENTITLED

AN ACT

relating to the operation of a concrete crushing facility near a hospital.

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

SECTION 1. Sections 382.065(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The commission by rule shall prohibit the operation of a concrete crushing facility within 440 yards of a building in use as a single or multifamily residence, school, hospital, or place of worship at the time the application for a permit to operate the facility at a site near the residence, school, hospital, or place of worship is filed with the commission. The measurement of distance for purposes of this subsection shall be taken from the point on the concrete crushing facility that is nearest to the residence, school, hospital, or place of worship toward the point on the residence, school, hospital, or place of worship that is nearest the concrete crushing facility.

(b) Subsection (a) does not apply to a concrete crushing facility:

(1) at a location for which commission authorization for the operation of a concrete crushing facility was in effect on September 1, 2001;

(2) at a location that satisfies the distance requirements of Subsection (a) at the time the application for the

1 initial authorization for the operation of that facility at that
2 location is filed with the commission, provided that the
3 authorization is granted and maintained, regardless of whether a
4 single or multifamily residence, school, hospital, or place of
5 worship is subsequently built or put to use within 440 yards of the
6 facility; or

7 (3) that:

8 (A) uses a concrete crusher:

9 (i) in the manufacture of products that
10 contain recycled materials; and

11 (ii) that is located in an enclosed
12 building; and

13 (B) is located:

14 (i) within 25 miles of an international
15 border; and

16 (ii) in a municipality with a population of
17 not less than 6,100 but not more than 20,000.

18 SECTION 2. Section 382.065, Health and Safety Code, as
19 amended by this Act, applies only to an application for a permit or
20 authorization to use a permit to operate a concrete crushing
21 facility that is filed on or after the effective date of this Act.
22 An application for a permit or authorization to use a permit filed
23 before the effective date of this Act is governed by the law in
24 effect on the date of filing, and that law is continued in effect
25 for that purpose.

26 SECTION 3. This Act takes effect September 1, 2025.