

1-1 By: Miles S.B. No. 2082
1-2 (In the Senate - Filed March 7, 2025; March 24, 2025, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 28, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 28, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Birdwell	X		
1-10	Zaffirini			X
1-11	Alvarado	X		
1-12	Blanco	X		
1-13	Flores	X		
1-14	Hancock	X		
1-15	Hughes	X		
1-16	Parker	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2082 By: Alvarado

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the operation of a concrete crushing facility near a
1-22 hospital.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 382.065, Health and Safety Code, is
1-25 amended by amending Subsections (a) and (b) and adding Subsections
1-26 (e) and (f) to read as follows:

1-27 (a) The commission by rule shall prohibit the operation of a
1-28 concrete crushing facility within 440 yards of a building in use as
1-29 a single or multifamily residence, school, hospital, or place of
1-30 worship at the time the application for a permit to operate the
1-31 facility at a site near the residence, school, hospital, or place of
1-32 worship is filed with the commission. The measurement of distance
1-33 for purposes of this subsection shall be taken from the point on the
1-34 concrete crushing facility that is nearest to the residence,
1-35 school, hospital, or place of worship toward the point on the
1-36 residence, school, hospital, or place of worship that is nearest
1-37 the concrete crushing facility.

1-38 (b) Subsection (a) does not apply to a concrete crushing
1-39 facility:

1-40 (1) at a location for which commission authorization
1-41 for the operation of a concrete crushing facility was in effect on
1-42 September 1, 2001;

1-43 (2) at a location that satisfies the distance
1-44 requirements of Subsection (a) at the time the application for the
1-45 initial authorization for the operation of that facility at that
1-46 location is filed with the commission, provided that the
1-47 authorization is granted and maintained, regardless of whether a
1-48 single or multifamily residence, school, hospital, or place of
1-49 worship is subsequently built or put to use within 440 yards of the
1-50 facility; or

1-51 (3) that:

1-52 (A) uses a concrete crusher:

1-53 (i) in the manufacture of products that
1-54 contain recycled materials; and

1-55 (ii) that is located in an enclosed
1-56 building; and

1-57 (B) is located:

1-58 (i) within 25 miles of an international
1-59 border; and

1-60 (ii) in a municipality with a population of

not less than 6,100 but not more than 20,000.

(e) This section applies only to a hospital that:

(1) is licensed under Chapter 241;

(2) has more than 200 beds; and

(3) is located:

(A) in a municipality with a population of two million or more; and

(B) not more than four miles from a railroad switching yard that has at least 64 railroad tracks.

(f) Subsection (a) does not require the commission to prohibit the operation of a concrete crushing facility within 440 yards of a hospital if the facility is located temporarily in the right-of-way, or contiguous to the right-of-way, of a public works project.

SECTION 2. Beginning on the effective date of this Act, until the date the Texas Commission on Environmental Quality adopts the rules required by Section 382.065(a), Health and Safety Code, as amended by this Act, a person may not operate a concrete crushing facility within 440 yards of a building in use as a hospital described by Section 382.065(e), Health and Safety Code, as added by this Act, regardless of whether the commission has issued a permit or authorized the use of a standard permit for that facility. After the commission adopts the rules, the person may operate the concrete crushing facility only if the commission determines that the operation is not prohibited by the rules.

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

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