S.B. No. 1250

AN ACT
relating to the applicability of certain restrictions on the
location and operation of concrete crushing facilities.

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

SECTION 1. Subsection (b), Section 382.065, Health and
Safety Code, is amended to read as follows:

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

(3) that:

(A) uses a concrete crusher;

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

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

(B) is located:

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

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

SECTION 2. This Act takes effect September 1, 2011.
President of the Senate        Speaker of the House

I hereby certify that S.B. No. 1250 passed the Senate on April 19, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1250 passed the House, with amendment, on May 20, 2011, by the following vote: Yeas 140, Nays 9, one present not voting.

Chief Clerk of the House

Approved:

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Date

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Governor