

CHAPTER 793

H.B. No. 1432

AN ACT

relating to the construction of certain concrete plants.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 3.27(c), Texas Clean Air Act (Article 4477-5, Vernon's Texas Civil Statutes), is amended to read as follows:

(c) No person may commence construction on a permanently or temporarily located concrete plant (except a concrete plant located temporarily in the right-of-way *or a concrete plant located temporarily contiguous to the right-of-way* of a public works project) that accomplishes wet batching, dry batching, or central mixing under an exemption adopted by the board pursuant to Subsection (a) of this section, without first complying with the notice and opportunity for hearing provisions of Subsections (a) and (c) of Section 3.271 of this Act. For purposes of this subsection, only those persons actually residing in a permanent residence within one-quarter mile of the proposed plant may be a "person who may be affected" as that term is used in Subsection (c) of Section 3.271 of this Act.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 15, 1987, by the following vote: Yeas 144, Nays 0, 1 present, not voting. Passed by the Senate on May 28, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective June 19, 1987.