

BILL ANALYSIS

Senate Research Center
78R8228 QS-D

H.B. 547
By: Wohlgenuth (Averitt)
Natural Resources
5/10/2003
Engrossed

DIGEST AND PURPOSE

The Texas Aggregate Quarry and Pit Safety Act was enacted by the 72nd Legislature and became effective August 26, 1991. Prior to the 77th Legislature, quarry and pit operators were permitted to dig to the edge of an adjacent property line. However, there was concern that the erosion associated with quarry operations could encroach on a neighboring property. H.B. 547 provides that Section 133.901, Natural Resources Code, applies to certain pits and does not only apply to a county with a certain population.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 133.901, Natural Resources Code, as follows:

- (a) Deletes existing text relating to this section applying only to a county with a certain population. Makes a conforming and a nonsubstantive change.
- (b) Provides that this section does not apply to a pit if the operator and the adjacent property owner agree that the pit may be located closer to the property line or to an excavation constructed by a political subdivision to provide drainage or stormwater retention.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2003.