

BILL ANALYSIS

Senate Research Center
77R10294 QS-D

H.B. 1838
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

The Texas Aggregate Quarry and Pit Safety Act was enacted by the 72nd Legislature and became effective August 26, 1991. Under current law, quarry and pit operators are permitted to dig to the edge of an adjacent property line, but the erosion associated with quarry operations may encroach on a neighboring property. H.B. 1838 creates a buffer zone of 50 feet between the edge of a pit or a quarry and an adjacent property that is not owned or leased by the operator.

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 Chapter 133, Natural Resources Code, by adding Subchapter Z, as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 133.901. DISTANCE BETWEEN PIT AND PROPERTY LINE. Prohibits the distance from the edge of the consolidated material of a pit that does not have lateral support to the property line of the nearest property that is not owned or leased by the operator from being less than 50 feet at the time quarrying is completed. Provides that this section does not apply if the operator and the adjacent property owner agree that the pit may be located closer to the property line.

SECTION 2. (a) Effective date: September 1, 2001.

(b) Makes application of this Act prospective.