

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 248
By: Walle (Ellis)
Transportation
5/8/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, automotive wrecking and salvage yards located in the unincorporated areas of Harris County must be located at least 300 feet from an existing church, school, or residence. The presence of an automotive wrecking and salvage yard lowers local property values, diminishes quality of life, and presents environmental dangers to residents in close proximity to the yard, since its presence may result in the flow of harmful chemicals into the surrounding neighborhood and even the leaching of lead into the soil.

C.S.H.B. 248 increases the distance that a new automotive wrecking or salvage yard must be from a church, school, or residence from 300 feet to 600 feet in unincorporated areas of Harris County.

C.S.H.B. 248 amends current law relating to the regulation of automotive wrecking and salvage yards in certain counties.

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 397.011, Transportation Code, as follows:

Sec. 397.011. LOCATION OF YARD. (a) Prohibits an automotive wrecking and salvage yard, except as otherwise provided by this subsection and Subsection (b), from being established within 600 feet, rather than established within 300 feet, of an existing church, school, or residence. Authorizes a yard to be established within 600 feet of a residence if the same person owns the residence and the yard.

(b) Prohibits an automotive wrecking and salvage yard that is established on or after September 1, 1983, and before September 1, 2013, from being established within 300 feet of an existing church, school, or residence except that a yard is authorized to be established within 300 feet of a residence if the same person owns the residence and the yard.

(c) Creates this subsection from existing text. Provides that distance is measured under this section beginning at the wall of the church, school, or residence that is closest to the yard and ending at the fence required by this chapter. Makes a nonsubstantive change.

Deletes existing Subsection (b) authorizing an automotive wrecking and salvage yard to be established within 300 feet of a residence if the same person owns the residence and the yard.

SECTION 2. Makes application of the change in law made by this Act prospective.

SECTION 3. Effective date: September 1, 2013.