

By: Lopez of Cameron

H.B. No. 4932

A BILL TO BE ENTITLED

AN ACT

relating to the amount of foreign emissions of air contaminants in nonattainment areas and the required revision of the state implementation plan to account for those emissions.

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

SECTION 1. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.0175 to read as follows:

Sec. 382.0175. AMOUNT OF FOREIGN EMISSIONS IN NONATTAINMENT AREAS; REQUIRED REVISION OF STATE IMPLEMENTATION PLAN. (a) In this section, "foreign emissions" means emissions of air contaminants emanating from outside this state.

(b) Not later than October 1, 2023, the commission shall request from the administrator the amount of foreign emissions that are detected or estimated to be at each federal air quality monitoring site located in each nonattainment area in this state with respect to each air contaminant for which the area is designated as being in nonattainment for any national ambient air quality standards.

(c) If the commission does not receive the information requested under Subsection (b) within 180 days of the date of the commission's request, the commission shall estimate the amount of foreign emissions described by Subsection (b). The commission may contract with a third party to conduct the estimate required by this subsection.

1        (d) The commission shall, using the information received  
2 from a request made under Subsection (b) or an estimate conducted  
3 under Subsection (c), revise the state implementation plan to  
4 account for the amount of foreign emissions in each nonattainment  
5 area in this state in any manner permissible under federal law.

6        (e) This section expires September 1, 2027.

7        SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2023.