

By: Blanco

S.B. No. 845

A BILL TO BE ENTITLED

1 AN ACT
2 relating to an affirmative defense to a Texas Commission on
3 Environmental Quality enforcement action for unauthorized emission
4 events.

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

6 SECTION 1. Sections [382.0216](#)(f) and (h), Health and Safety
7 Code, are repealed.

8 SECTION 2. The change in law made by this Act applies only
9 to an enforcement action initiated by the Texas Commission on
10 Environmental Quality on or after the effective date of this Act.
11 An enforcement action initiated before the effective date of this
12 Act is governed by the law in effect immediately before the
13 effective date of this Act, and the former law is continued in
14 effect for that purpose.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section [39](#), Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2023.