

In CSHB 1900, add the appropriately numbered sections and re-number subsequent sections accordingly:

SECTION\_\_\_\_ Section 382.085, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) If the commission brings an action for a violation of this section, it is a refutable presumption that the burden is on the owner or operator of the facility or source, through certification by a responsible official, to demonstrate to the commission that the facility or source:

(1) is in compliance with all technological requirements applicable to the facility or source;

(2) is in compliance with all monitoring requirements applicable to the facility or source; and

(3) is aware of no evidence that demonstrates that the facility or source has caused or contributed to air pollution in violation of this section.

SECTION\_\_\_\_. Section 382.085, Health and Safety Code, as amended by this Act, applies only to a violation of Section 382.085, Health and Safety Code, that occurs on or after the effective date of this Act. A violation of Section 382.085, Health and Safety Code, that occurs before the effective date of this Act is governed by the law in effect when the violation occurred, and the current law is continued in effect for that purpose.