

BILL ANALYSIS

S.B. 784
By: Shapleigh
Border and International Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Commission on Environmental Quality (TCEQ) may authorize the use of emission reductions achieved outside the United States to satisfy otherwise applicable emission reduction requirements if certain conditions are met. One such condition is that the reductions must be in an area designated as nonattainment under the federal Clean Air Act. Currently, the only area to which this situation applies is El Paso and the federal Environmental Protection Agency is considering a request that would redesignate the El Paso air shed from nonattainment to maintenance. If such a designation is made, it would not allow TCEQ to approve an international emission credit program.

Senate Bill 784 allows the TCEQ greater discretion in its authorization of substitute emissions reductions achieved outside the United States to satisfy other emissions reduction requirements.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1 Amends Section 382.0172(c), Health and Safety Code, authorizing the Commission on Environmental Quality to allow substitution of certain emissions reductions as described in 382.0172(b), Health and Safety Code, only if reductions in emissions of one air contaminant for which the area has been designated as nonattainment are substituted for reductions in emissions of another air contaminant for which the area has been designated as nonattainment or the commission finds that the substitution will clearly result in greater health benefits for the community as a whole than would reductions in emissions at the original facility.

SECTION 2 The Act takes effect immediately if it receives a two-thirds vote of all members elected to each house. Otherwise, the Act takes effect September 1, 2005.

EFFECTIVE DATE

The Act takes effect immediately if it receives a two-thirds vote of all members elected to each house. Otherwise, the Act takes effect September 1, 2005.