

## **BILL ANALYSIS**

Senate Research Center

S.B. 1290  
By: Wentworth  
Natural Resources  
8/8/2005  
Enrolled

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current Texas law under Section 1302.356 (Sale or Use of Certain Refrigerants Prohibited), Occupations Code, prohibits the sale or use of a flammable refrigerant or refrigerant substitute that contains a liquid petroleum-based product for use in an automotive, aviation, commercial, or residential air conditioning or refrigeration system.

Hydrocarbon (HC) refrigerant technology has reached new thresholds and now replicates the cooling characteristics of CFC R-12 (freon), but is prohibited from being utilized in any application. HC technology has been embraced by governments and organizations throughout the world because of its non-ozone depleting, non-global warming, and energy saving qualities.

S.B. 1290 repeals Section 1302.356, Occupations Code, prohibiting the above-mentioned sales.

### **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 1302.453, Occupations Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Provides that it is an exception to the application of this section with respect to a purchase of a refrigerant or equipment containing a refrigerant in this state in violation of Section 1302.356 that the refrigerant or equipment is purchased for use only in a motor vehicle and that use is authorized by the United States Environmental Protection Agency.

(c) Provides that an offense under this section is a Class C misdemeanor.

SECTION 2. Effective date: upon passage or September 1, 2005.