

By: Haggerty

H.B. No. 965

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition on the regulation of emissions from
3 certain residential water heaters.

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

5 SECTION 1. Subchapter B, Chapter 382, Health and Safety
6 Code, is amended by adding Section 382.0275 to read as follows:

7 Sec. 382.0275. PROHIBITION ON COMMISSION ACTION RELATING TO
8 RESIDENTIAL WATER HEATERS. (a) In this section, "residential
9 water heater" means a water heater that:

10 (1) is designed primarily for residential use; and

11 (2) has a maximum rated capacity of 75,000 British
12 thermal units per hour (Btu/hr) or less.

13 (b) The commission may not adopt or enforce a rule,
14 determination, or order that relates to emissions from residential
15 water heaters.

16 (c) Any emission reductions related to residential gas
17 water heaters that the commission does not adopt because of
18 Subsection (b) shall be replaced by a requirement that will obtain
19 emission reductions from the same category.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2005.