

By: Haggerty

H.B. No. 965

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on the regulation of emissions from residential water heaters.

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

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

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

(1) is designed primarily for residential use; and

(2) has a maximum rated capacity of 2.0 million British thermal units per hour (MMBtu/hr) or less.

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

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