

1-1 By: Haggerty (Senate Sponsor - Jackson) H.B. No. 965
1-2 (In the Senate - Received from the House April 4, 2005;
1-3 April 6, 2005, read first time and referred to Committee on Natural
1-4 Resources; April 20, 2005, reported favorably by the following
1-5 vote: Yeas 10, Nays 0; April 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a prohibition on the regulation of emissions from
1-9 certain residential water heaters.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 382, Health and Safety
1-12 Code, is amended by adding Section 382.0275 to read as follows:

1-13 Sec. 382.0275. PROHIBITION ON COMMISSION ACTION RELATING TO
1-14 RESIDENTIAL WATER HEATERS. (a) In this section, "residential
1-15 water heater" means a water heater that:

1-16 (1) is designed primarily for residential use; and

1-17 (2) has a maximum rated capacity of 75,000 British
1-18 thermal units per hour (Btu/hr) or less.

1-19 (b) The commission may not adopt or enforce a rule,
1-20 determination, or order that relates to emissions from residential
1-21 water heaters.

1-22 (c) Any emission reductions related to residential gas
1-23 water heaters that the commission does not adopt because of
1-24 Subsection (b) shall be replaced by a requirement that will obtain
1-25 emission reductions from the same category.

1-26 SECTION 2. This Act takes effect immediately if it receives
1-27 a vote of two-thirds of all the members elected to each house, as
1-28 provided by Section 39, Article III, Texas Constitution. If this
1-29 Act does not receive the vote necessary for immediate effect, this
1-30 Act takes effect September 1, 2005.

1-31 * * * * *