

By: Haggerty

H.B. No. 2240

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the circumstances under which the Texas Commission on
3 Environmental Quality may authorize certain emissions reductions
4 to be substituted for other emissions reductions.

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

6 SECTION 1. Section 382.0172(c), Health and Safety Code, is
7 amended to read as follows:

8 (c) The commission may authorize or allow substitution of
9 emissions reductions under Subsection (b) only if:

10 (1) reductions in emissions of one air contaminant for
11 which the area has been designated as nonattainment are substituted
12 for reductions in emissions of another air contaminant for which
13 the area has been designated as nonattainment; or ~~and~~

14 (2) the commission finds that the substitution will
15 clearly result in greater health benefits for the community as a
16 whole than would reductions in emissions at the original facility.

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