

1-1 By: Jackson S.B. No. 473
1-2 (In the Senate - Filed February 11, 2005; February 22, 2005,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 21, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 21, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 473 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a prohibition on the regulation of emissions from
1-11 residential water heaters.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 382, Health and Safety
1-14 Code, is amended by adding Section 382.0275 to read as follows:

1-15 Sec. 382.0275. PROHIBITION ON COMMISSION ACTION RELATING TO
1-16 RESIDENTIAL WATER HEATERS. (a) In this section, "residential
1-17 water heater" means a water heater that:

1-18 (1) is designed primarily for residential use; and

1-19 (2) has a maximum rated capacity of 75,000 British
1-20 thermal units per hour (MMBtu/hr) or less.

1-21 (b) The commission may not adopt or enforce a rule,
1-22 determination, or order that relates to emissions from residential
1-23 water heaters.

1-24 (c) Any emissions reductions related to residential gas
1-25 water heaters that the commission does not adopt because of
1-26 Subsection (b) shall be replaced by a requirement that will obtain
1-27 emissions reductions from the same category.

1-28 SECTION 2. This Act takes effect immediately if it receives
1-29 a vote of two-thirds of all the members elected to each house, as
1-30 provided by Section 39, Article III, Texas Constitution. If this
1-31 Act does not receive the vote necessary for immediate effect, this
1-32 Act takes effect September 1, 2005.

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