

By: Shapleigh

S.B. No. 784

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the acceptance by the Texas Commission on Environmental  
3 Quality of certain emissions reductions in exchange for other  
4 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.