

1-1 By: Shapleigh S.B. No. 784
1-2 (In the Senate - Filed February 28, 2005; March 10, 2005,
1-3 read first time and referred to Committee on Natural Resources;
1-4 April 18, 2005, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 18, 2005, sent to printer.)

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

1-8 relating to the acceptance by the Texas Commission on Environmental
1-9 Quality of certain emissions reductions in exchange for other
1-10 emissions reductions.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (c), Section 382.0172, Health and
1-13 Safety Code, is amended to read as follows:

1-14 (c) The commission may authorize or allow substitution of
1-15 emissions reductions under Subsection (b) only if:

1-16 (1) reductions in emissions of one air contaminant for
1-17 which the area has been designated as nonattainment are substituted
1-18 for reductions in emissions of another air contaminant for which
1-19 the area has been designated as nonattainment; or ~~and~~

1-20 (2) the commission finds that the substitution will
1-21 clearly result in greater health benefits for the community as a
1-22 whole than would reductions in emissions at the original facility.

1-23 SECTION 2. This Act takes effect immediately if it receives
1-24 a vote of two-thirds of all the members elected to each house, as
1-25 provided by Section 39, Article III, Texas Constitution. If this
1-26 Act does not receive the vote necessary for immediate effect, this
1-27 Act takes effect September 1, 2005.

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