

By: Ellis

S.B. No. 1032

A BILL TO BE ENTITLED

AN ACT

relating to the elimination of certain alternative fuels programs of this state.

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

SECTION 1. The following laws are repealed:

(1) Subchapter F, Chapter 382, Health and Safety Code; and

(2) the following subchapters of the Transportation Code:

(A) Subchapter G, Chapter 451;

(B) Subchapter F, Chapter 452; and

(C) Subchapter F, Chapter 453.

SECTION 2. Subsection (e), Section 113.287, Natural Resources Code, is amended to read as follows:

(e) A state agency, county, municipality, school district, or mass transit authority or department is eligible to receive a loan, grant, or other disbursement under this subchapter to carry out an eligible conversion or infrastructure project regarding LPG or another environmentally beneficial fuel to comply with fuel requirements provided by or by rules adopted under:

(1) ~~[Subchapter F, Chapter 382, Health and Safety Code,~~

~~(2)]~~ Subchapter A, Chapter 2158, Government Code; or

(2) ~~(3)]~~ Subchapter C, Chapter 2171, Government

1 Code[~~+~~

2 [~~(4) Subchapter C, Chapter 451, Transportation Code,~~

3 [~~(5) Subchapter F, Chapter 452, Transportation Code,~~

4 ~~or~~

5 [~~(6) Subchapter F, Chapter 453, Transportation Code].~~

6 SECTION 3. Section 2158.001, Government Code, is amended to  
7 read as follows:

8 Sec. 2158.001. DEFINITION. In this subchapter,  
9 "conventional gasoline" means any gasoline that does not meet  
10 specifications set by a certification under Section 211(k) of the  
11 federal Clean Air Act (42 U.S.C. Section 7545(k)) [~~has the meaning~~  
12 ~~assigned by Section 382.131, Health and Safety Code].~~

13 SECTION 4. Subsection (a), Section 1232.104, Government  
14 Code, is amended to read as follows:

15 (a) If the authority determines that a project is  
16 financially viable and sufficient revenue is or will be available,  
17 the authority may issue and sell obligations the proceeds of which  
18 shall be used for the financing of:

19 (1) the conversion of state agency vehicles and other  
20 sources of substantial energy output to an alternative fuel under  
21 Subchapter A, Chapter 2158;

22 (2) the construction, acquisition, or maintenance by  
23 the commission of fueling stations supplying alternative fuels or  
24 equipment enhancing the use of engine-driven technology to support  
25 state agency vehicles and other energy applications that use an  
26 alternative fuel;

27 (3) the conversion of school district motor vehicles

1 and other sources of substantial energy output to an alternative  
2 fuel;

3 (4) the construction, acquisition, or maintenance by a  
4 school district of fueling stations supplying alternative fuels or  
5 equipment enhancing the use of engine-driven technology to support  
6 school district motor vehicles and other energy applications that  
7 use an alternative fuel;

8 (5) the conversion of local mass transit authority or  
9 department motor vehicles and other sources of substantial energy  
10 output to an alternative fuel [~~under Chapters 451, 452, and 453,~~  
11 ~~Transportation Code~~];

12 (6) the construction, acquisition, or maintenance of  
13 fueling stations supplying alternative fuels or equipment  
14 enhancing the use of engine-driven technology by a local mass  
15 transit authority or department to support transit authority or  
16 department vehicles and other energy applications that use an  
17 alternative fuel;

18 (7) the conversion of motor vehicles and other sources  
19 of substantial energy output of a local government [~~, as defined by~~  
20 ~~Section 382.003, Health and Safety Code,~~] to an alternative fuel  
21 [~~under Section 382.134, Health and Safety Code~~];

22 (8) the conversion of motor vehicles and other sources  
23 of substantial energy output of a hospital district or authority, a  
24 housing authority, or a district or authority created under Section  
25 52, Article III, Texas Constitution, or Section 59, Article XVI,  
26 Texas Constitution, to an alternative fuel;

27 (9) the construction, acquisition, or maintenance of

1 fueling stations supplying alternative fuels or equipment  
2 enhancing the use of engine-driven technology to support motor  
3 vehicles and other energy applications that use an alternative fuel  
4 by a county, a municipality, or an entity described by Subdivision  
5 (8); or

6 (10) a joint venture between the private sector and a  
7 state agency or political subdivision that is required under law to  
8 use an alternative fuel in the agency's or subdivision's vehicles or  
9 other energy applications to:

10 (A) convert vehicles or other sources of  
11 substantial energy output to an alternative fuel;

12 (B) develop fueling stations and resources for  
13 the supply of alternative fuels and engine-driven applications;

14 (C) aid in the distribution of alternative fuels;  
15 and

16 (D) engage in other projects to facilitate the  
17 use of alternative fuels.

18 SECTION 5. Subsection (c), Section 457.201, and Section  
19 457.205, Transportation Code, are repealed.

20 SECTION 6. This Act takes effect September 1, 2005.