

By: Davis of Dallas

H.B. No. 2521

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a temporary moratorium on permits for certain
3 coal-fired electric generating facilities and to a contemporaneous
4 study of the projected demand for electric generating capacity in
5 this state and the potential for and consequences of reducing or
6 meeting that demand by various means.

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

8 SECTION 1. DEFINITIONS. In this Act:

9 (1) "Commission" means the Texas Commission on
10 Environmental Quality.

11 (2) "Modification of existing facility" has the
12 meaning assigned by Section 382.003, Health and Safety Code.

13 SECTION 2. TEMPORARY MORATORIUM. (a) Until the second
14 anniversary of the effective date of this Act, the commission may
15 not accept an application for, issue, or renew a permit or permit
16 amendment for:

17 (1) the construction of a new pulverized coal-fired
18 electric generating facility; or

19 (2) the modification of an existing pulverized
20 coal-fired electric generating facility.

21 (b) This section applies to the issuance or renewal of a
22 permit or permit amendment regardless of whether the application
23 for the permit or permit amendment is pending on the effective date
24 of this Act.

1 SECTION 3. STUDY AND REPORT. (a) The commission shall
2 conduct a study of:

3 (1) this state's demand for electric generation
4 capacity for the next 10 years;

5 (2) the potential for reducing that demand through
6 conservation and other means;

7 (3) the potential for meeting that demand through
8 renewable energy electric generation technology;

9 (4) the environmental effects of meeting that demand
10 by means of the various existing and proposed electric generation
11 technologies, including the effects on air quality in
12 nonattainment, near nonattainment, and early action compact areas;

13 (5) the effects on rates for electricity of meeting
14 that demand by means of the various existing and proposed electric
15 generation technologies; and

16 (6) any other related matters as determined by the
17 commission.

18 (b) The commission may consult with the Electric
19 Reliability Council of Texas and the Public Utility Commission of
20 Texas in conducting the study.

21 (c) Not later than the second anniversary of the effective
22 date of this Act, the commission shall submit a report of the
23 results of the study to the legislature.

24 SECTION 4. EFFECTIVE DATE. This Act takes effect
25 immediately if it receives a vote of two-thirds of all the members
26 elected to each house, as provided by Section 39, Article III, Texas
27 Constitution. If this Act does not receive the vote necessary for

H.B. No. 2521

1 immediate effect, this Act takes effect September 1, 2007.