

By: Larson

H.B. No. 3188

Substitute the following for H.B. No. 3188:

By: Miller of Erath

C.S.H.B. No. 3188

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting the implementation in this state of any
3 federal greenhouse gas emissions regulatory program.

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

5 SECTION 1. Subchapter A, Chapter 382, Health and Safety
6 Code, is amended by adding Section 382.005 to read as follows:

7 Sec. 382.005. PROHIBITION ON IMPLEMENTATION OF GREENHOUSE
8 GAS EMISSIONS REGULATORY PROGRAMS. (a) In this section:

9 (1) "Greenhouse gas" includes:

10 (A) carbon dioxide;

11 (B) methane;

12 (C) nitrous oxide;

13 (D) hydrofluorocarbons;

14 (E) perfluorocarbons;

15 (F) sulfur hexafluoride; and

16 (G) other gases or substances incorporated into a
17 regional or federal greenhouse gas emissions regulatory program.

18 (2) "Greenhouse gas emissions regulatory program"
19 means an arrangement under which a greenhouse gas emissions source
20 is required to account for or report greenhouse gas emissions. The
21 term includes a market-based compliance mechanism.

22 (3) "Market-based compliance mechanism" means a
23 system of market-based declining annual aggregate greenhouse gas
24 emissions limits, including a greenhouse gas emissions exchange,

1 banking, credit, or other similar transaction.

2 (b) A state agency, including the commission, may not
3 implement or adopt rules that would implement a greenhouse gas
4 emissions regulatory program required by federal statute or agency
5 rule.

6 (c) A state employee may not participate on a board,
7 committee, or related entity, or in a study, of a national
8 organization assigned to recommend provisions to implement a
9 federal greenhouse gas emissions regulatory program.

10 (d) This section does not apply to voluntary actions taken
11 to reduce greenhouse gas emissions.

12 SECTION 2. This Act takes effect September 1, 2011.