

By: Larson

H.B. No. 3188

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

(1) "Greenhouse gas" includes:

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) hydrofluorocarbons;

(E) perfluorocarbons;

(F) sulfur hexafluoride; and

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

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

(3) "Market-based compliance mechanism" means a system of market-based declining annual aggregate greenhouse gas emission limits, including a greenhouse gas emission 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.