

By: Fraser, et al.

S.B. No. 527

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to air monitors in Texas Commission on Environmental  
3 Quality Regions 3 and 4 to be funded through the Texas emissions  
4 reduction plan.

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

6 SECTION 1. Subsection (a), Section 386.252, Health and  
7 Safety Code, as amended by Chapters 1125 (H.B. 1796) and 1232 (S.B.  
8 1759), Acts of the 81st Legislature, Regular Session, 2009, is  
9 reenacted and amended to read as follows:

10 (a) Money in the fund may be used only to implement and  
11 administer programs established under the plan and shall be  
12 allocated as follows:

13 (1) for the diesel emissions reduction incentive  
14 program, 87.5 percent of the money in the fund, of which:

15 (A) not more than four percent may be used for the  
16 clean school bus program;

17 (B) not more than 10 percent may be used for  
18 on-road diesel purchase or lease incentives; ~~and~~

19 (C) a specified amount may be used for the new  
20 technology implementation grant program, from which a defined  
21 amount may be set aside for electricity storage projects related to  
22 renewable energy; and

23 (D) five percent shall be used for the clean  
24 fleet program;

1           (2) for the new technology research and development  
2 program, nine percent of the money in the fund, of which:

3                   (A) up to \$200,000 is allocated for a health  
4 effects study;

5                   (B) \$500,000 is to be deposited in the state  
6 treasury to the credit of the clean air account created under  
7 Section 382.0622 to supplement funding for air quality planning  
8 activities in affected counties;

9                   (C) not less than 20 percent is to be allocated  
10 each year to support research related to air quality as provided by  
11 Section 387.010; ~~and~~

12                   (D) not less than \$3 million or more than \$7  
13 million in 2012 and 2013 and not less than \$1 million or more than \$3  
14 million in subsequent years is allocated to fund the implementation  
15 and oversight of a regional air monitoring program in commission  
16 Regions 3 and 4 implemented through a regional nonprofit entity  
17 located in North Texas having representation from counties,  
18 municipalities, higher education institutions, and private sector  
19 interests across the area; and

20                   (E) the balance is allocated each year to the  
21 commission to be used to:

22                           (i) implement and administer the new  
23 technology research and development program for the purpose of  
24 identifying, testing, and evaluating new emissions-reducing  
25 technologies with potential for commercialization in this state and  
26 to facilitate their certification or verification; and

27                           (ii) contract with the Energy Systems

1 Laboratory at the Texas Engineering Experiment Station for \$216,000  
2 annually for the development and annual computation of creditable  
3 statewide emissions reductions obtained through wind and other  
4 renewable energy resources for the state implementation plan; and

5           (3) two percent is allocated to the commission and 1.5  
6 percent is allocated to the laboratory for administrative costs  
7 incurred by the commission and the laboratory.

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