

## **BILL ANALYSIS**

C.S.H.B. 2136  
By: Thompson, Ed  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Texas emissions reduction plan was created to provide financial incentives to eligible individuals, businesses, and local governments to reduce emissions and help the state achieve federal air quality standards. There are concerns that the diesel emissions reduction incentive program, one of the plan programs, is too restrictive in the criteria used to select marine vessel participants, which inhibits Texans from joining efforts to help the state achieve federal air quality standards. C.S.H.B. 2136 seeks to address these concerns by revising a program eligibility requirement in order to improve participation from marine vessel owners.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2136 amends the Health and Safety Code to change from a sufficient amount of time over a project's lifetime to a sufficient percentage of time over the lifetime the time as determined by the Texas Commission on Environmental Quality to meet cost-effectiveness requirements that a marine vessel or engine involved in a proposed project under the diesel emissions reduction incentive program is required to be operated in certain waterways or bays. The bill sets the minimum percentage at 55 percent.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2136 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original replaced the statutory requirement that a marine vessel or engine involved in a proposed project be operated in the intercoastal waterways or bays adjacent to a nonattainment area or affected county of the state for a sufficient amount of time over the project's lifetime, as determined by TCEQ, to meet cost-effectiveness requirements with a requirement that not less than 25 percent of the hours of operation projected for the five years immediately following the

award of a grant be projected to take place in the waters of the Gulf of Mexico within 15 miles of the state's coast or in intercoastal waterways or bays. The substitute retains that statutory requirement and changes instead the time as determined by TCEQ to meet cost-effectiveness requirements that the vessel or engine is required to be operated in the waterways or bays from a sufficient amount of time over the project's lifetime to a sufficient percentage of time over the lifetime and sets the minimum percentage at 55 percent.