

## **BILL ANALYSIS**

H.B. 205  
By: Cortez  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that constituents in House District 117 have raised concerns regarding the stipulations of grants under the Texas Alternative Fueling Facilities program, through which the Texas Commission on Environmental Quality (TCEQ) provides grants for fueling facilities that provide alternative fuel. Under the program, the TCEQ is prohibited from awarding a grant to an entity that does not agree to make the alternative fueling facility accessible and available to the public at certain times. The bill author has also informed the committee that this creates a multitude of concerns for hopeful grant recipients that are regional transportation authorities and metropolitan rapid transit authorities, such as VIA Metropolitan Transit, a transit authority that has committed to converting its diesel-powered transit buses to compressed natural gas buses in efforts to improve the air quality of the San Antonio region. H.B. 205 seeks to address this issue by exempting certain transportation authorities from grant eligibility requirements mandating public access to applicable alternative fueling facilities owned by these authorities.

### **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**

H.B. 205 amends the Health and Safety Code to exempt certain facilities from the prohibition against the Texas Commission on Environmental Quality awarding a grant under the Texas Alternative Fueling Facilities program in each grant round to an entity that does not agree to make the alternative fueling facility accessible and available to the public at times designated by the grant contract until a grant has been awarded to each eligible entity that does agree to those terms. The exemption applies to a facility that is:

- owned or operated by a metropolitan rapid transit authority or a regional transportation authority;
- located in a county that has a population of more than one million; and
- located in a nonattainment area or an affected county under the Texas Emissions Reduction Plan.

The bill applies only to a grant round that begins on or after the bill's effective date. A grant round that began before the bill's effective date is governed by the law in effect on the date the grant round began, and the former law is continued in effect for that purpose.

**EFFECTIVE DATE**

September 1, 2025.