CHAPTER 272

H.B. No. 788

AN ACT
relating to permitting of greenhouse gas emissions by the Texas Commission on Environmental Quality; limiting the amount of a fee.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The legislature finds that in the interest of the continued vitality and economic prosperity of this state, the Texas Commission on Environmental Quality, because of its technical expertise and experience in processing air quality permit applications, is the preferred permitting authority for emissions of greenhouse gases.

SECTION 2. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.05102 to read as follows:

Sec. 382.05102. PERMITTING AUTHORITY OF COMMISSION; GREENHOUSE GAS EMISSIONS. (a) In this section, "greenhouse gas emissions" means emissions of:

(1) carbon dioxide;
(2) methane;
(3) nitrous oxide;
(4) hydrofluorocarbons;
(5) perfluorocarbons; and
(6) sulfur hexafluoride.

(b) To the extent that greenhouse gas emissions require authorization under federal law, the commission may authorize greenhouse gas emissions in a manner consistent with Section 382.051.

(c) The commission shall:

(1) adopt rules to implement this section, including rules specifying the procedures to transition to review by the commission any applications pending with the United States Environmental Protection Agency for approval under 40 C.F.R. Section 52.2305; and
(2) prepare and submit appropriate federal program revisions to the United States Environmental Protection Agency for approval.

(d) The permit processes authorized by this section are not subject to the requirements relating to a contested case hearing under this chapter, Chapter 5, Water Code, or Subchapters C-G, Chapter 2001, Government Code.

(e) If authorization to emit greenhouse gas emissions is no longer required under federal law, the commission shall:

(1) repeal the rules adopted under Subsection (c); and
(2) prepare and submit appropriate federal program revisions to the United States Environmental Protection Agency for approval.

SECTION 3. Section 382.0621, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) The commission may impose fees for emissions of greenhouse gas only to the extent the fees are necessary to cover the commission's additional reasonably necessary direct costs of implementing Section 382.05102.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on April 19, 2013: Yeas 114, Nays 23, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 788 on May 20, 2013: Yeas 139, Nays 5, 2 present, not voting; passed by the Senate, with amendments, on May 17, 2013: Yeas 31, Nays 0.
CHAPTER 273

H.B. No. 797

AN ACT
relating to certain written information the Windham School District must provide to a person before the person enrolls in a district vocational training program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 19, Education Code, is amended by adding Section 19.0042 to read as follows:

Sec. 19.0042. INFORMATION TO BE PROVIDED BY DISTRICT BEFORE VOCATIONAL TRAINING PROGRAM ENROLLMENT. Before a person described by Section 19.005 enrolls in a district vocational training program, the district must inform the person in writing of:

(1) any rule or policy of a state agency that would impose a restriction or prohibition on the person in obtaining a certificate or license in connection with the vocational training program;

(2) the total number of district students released during the preceding 10 years who have completed a district vocational training program that allows for an opportunity to apply for a certificate or license from a state agency and, of those students:

(A) the number who have applied for a certificate or license from a state agency;

(B) the number who have been issued a certificate or license by a state agency; and

(C) the number who have been denied a certificate or license by a state agency; and

(3) the procedures for:

(A) requesting a criminal history evaluation letter under Section 53.102, Occupations Code;

(B) providing evidence of fitness to perform the duties and discharge the responsibilities of a licensed occupation for purposes of Section 53.023, Occupations Code; and

(C) appealing a state agency’s denial of a certificate or license, including deadlines and due process requirements:

(i) to the State Office of Administrative Hearings under Subchapter C, Chapter 2001, Government Code; and

(ii) through any other available avenue.

SECTION 2. Section 19.0042, Education Code, as added by this Act, applies only regarding enrollment of a person in a Windham School District vocational training program on or after September 1, 2013.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on April 25, 2013: Yeas 136, Nays 0, 2 present, not voting; passed by the Senate on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.