

BILL ANALYSIS

Senate Research Center

C.S.S.B. 473
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Natural Resources
3/17/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In 1999, the Texas Natural Resource Conservation Commission, since renamed the Texas Commission on Environmental Quality (TCEQ), began making rules to reduce air emissions as part of the Clean Air Act. Reduced emission gas-fired water heaters were included as reasonably attainable control measures with little discussion or debate. Manufacturers have attempted to meet these standards but have encountered several hurdles with the engineering plans. If produced, a compliant water heater would cost an additional \$100-\$300 per unit. Present requirements governing allowable emissions from certain types of equipment will prohibit consumer purchases of a replacement water heater and make them less affordable by 2007.

C.S.S.B. 473 removes requirements for new water heater technology and prohibits the Texas Commission on Environmental Quality from adopting or enforcing rules that relate to emissions from residential water heaters.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 382, Health and Safety Code, by adding Section 382.0275, as follows:

Sec. 382.0275. PROHIBITION ON COMMISSION ACTION RELATING TO RESIDENTIAL WATER HEATERS. (a) Defines "residential water heater."

(b) Prohibits the Texas Commission on Environmental Quality (commission) from adopting or enforcing a rule, determination, or order that relates to emissions from residential water heaters.

(c) Requires any emissions reductions related to residential gas water heaters that the commission does not adopt because of Subsection (b) to be replaced by a requirement that will obtain emissions reductions from the same category.

SECTION 2. Effective date: upon passage or September 1, 2005.