

## **BILL ANALYSIS**

Senate Research Center  
83R29768 JXC-D

C.S.H.B. 2859  
By: Harless (Patrick)  
Natural Resources  
5/16/2013  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Sources of funding available under the Texas Clean Air Act to participating counties for local initiative air quality projects include fees collected from vehicle emissions inspection and maintenance programs, which may be used for certain types of vehicle-related local initiative projects. While current law caps the amount of this fee revenue that participating counties may use for such projects at \$5 million per fiscal year, interested parties note that increased funding is necessary to accommodate additional nonattainment counties that may be participating in the program. C.S.H.B. 2859 increases the amount of fee revenue from vehicle emissions and inspection programs being allocated for these local initiative projects.

C.S.H.B. 2859 amends current law relating to the amount of money authorized to be used for Clean Air Act local initiative projects related to vehicles.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality, as the successor agency to TNRCC.]

### **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 Section 382.220(d), Health and Safety Code, as follows:

(d) Authorizes fees collected under Sections 382.202 (Vehicle Emissions Inspection and Maintenance Program) and 382.302 (Inspection and Maintenance Program) to be used in an amount not to exceed \$7 million per fiscal year, rather than \$5 million per fiscal year, for projects described by Subsection (b) (relating to requiring that a local initiative air quality program be implemented in consultation with the Texas Natural Resource Conservation Commission (TNRCC) and authorizing it to include certain programs), of which \$2 million is authorized to be used for any project described by Subsection (b)(4) (relating to requiring that a local initiative air quality program be implemented in consultation with TNRCC and authorizing it to develop and implement projects for coordinating with local law enforcement officials to reduce the use of counterfeit state inspection stickers). Authorizes the remaining \$5 million to be used for any project described by Subsection (b). Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2013.