

## **BILL ANALYSIS**

C.S.S.B. 911  
By: Zaffirini  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that air quality is of significant importance to Texas and that several areas of the state either do not meet or are close to not meeting certain federal air quality standards. The parties further note that failure to meet these standards will lead to costly federal pollution-control mandates, which could in turn lead to an increase in fuel prices and encumber economic development. To help address the state's air quality concerns, initiatives such as the Texas emissions reduction plan, the Texas natural gas vehicle grant program, and the Texas alternative fueling facilities program have been implemented and have been successful in helping both the environment and the state's economy. C.S.S.B. 911 seeks to build on these successes by providing for a San Antonio, Corpus Christi, and Laredo clean transportation triangle, which will encompass an area that experiences considerable commercial traffic due to international trade and oil and gas production.

### **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.S.B. 911 amends the Health and Safety Code to specify that a reference to the clean transportation triangle, for purposes of statutory provisions relating to the Texas alternative fueling facilities program, includes counties containing or intersected by a portion of an interstate highway connecting San Antonio to Corpus Christi or Laredo or a state highway connecting Corpus Christi and Laredo. The bill requires the Texas Commission on Environmental Quality (TCEQ), in awarding grants under the program for fueling facilities to provide natural gas, to give preference, in addition to other preferences established by TCEQ, to facilities located in the triangular area in and between the Corpus Christi, Laredo, and San Antonio areas. These provisions take effect September 1, 2015, but only if H.B. 14, or similar legislation of the 84th Legislature, Regular Session, 2015, that transfers provisions governing grants for natural gas vehicle fueling facilities along interstate highways connecting Houston, San Antonio, Dallas, and Fort Worth and in nonattainment areas from the Texas natural gas vehicle grant program to the Texas alternative fueling facility program, becomes law.

C.S.S.B. 911 includes the counties any part of which are included in the areas along the interstate highways connecting San Antonio to Corpus Christi and Laredo and the state highways connecting Corpus Christi and Laredo among the counties in which not less than 75 percent of the annual use of the qualifying vehicle must occur, as a condition of receiving a vehicle grant

under the Texas natural gas vehicle grant program. The bill includes the areas along the interstate highways connecting San Antonio to Corpus Christi and Laredo and the state highways connecting Corpus Christi and Laredo among the areas for which TCEQ must award station grants to support the development of a network of natural gas vehicle fueling stations under the program. The bill includes locations in and between the Corpus Christi, Laredo, and San Antonio areas among the locations in which TCEQ is required to provide for strategically placed natural gas vehicle fueling stations in awarding station grants, and clarifies that, in specified triangular areas, such stations are to be strategically placed to enable a natural gas vehicle to travel in the triangular area relying solely on natural gas fuel. The bill includes among the stations to which TCEQ must give preference in awarding grants under the program stations located in the Corpus Christi, Laredo, and San Antonio triangular area. The bill defines "state highway," for purposes of station grants under the program, as a highway in Texas included in the comprehensive plan providing for a system of state highways prepared by the executive director of the Texas Department of Transportation and clarifies that the term "affected county," for such grant purposes, has the meaning assigned by statutory provisions relating to the Texas emissions reduction plan. These provisions take effect September 1, 2015, but only if H.B. 14, or similar legislation of the 84th Legislature, Regular Session, 2015, that transfers provisions governing grants for natural gas vehicle fueling facilities along interstate highways connecting Houston, San Antonio, Dallas, and Fort Worth and in nonattainment areas from the Texas natural gas vehicle grant program to the Texas alternative fueling facility program, does not become law.

### **EFFECTIVE DATE**

September 1, 2015, as provided by the bill.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 911 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

#### SENATE ENGROSSED

No equivalent provision.

No equivalent provision.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 393, Health and Safety Code, is amended by adding Section 393.0015 to read as follows:

Sec. 393.0015. INCLUSION OF SAN ANTONIO-CORPUS CHRISTI-LAREDO IN CLEAN TRANSPORTATION TRIANGLE. For the purposes of this chapter, a reference to the clean transportation triangle includes counties containing or intersected by a portion of:  
(1) an interstate highway connecting San Antonio to Corpus Christi or Laredo; or  
(2) a state highway connecting Corpus Christi and Laredo.

SECTION 2. Section 393.004, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) In addition to other preferences under this section, for fueling facilities to provide natural gas, the commission shall give preference to facilities located in the

triangular area in and between the Corpus Christi, Laredo, and San Antonio areas.

SECTION 1. Section 394.005(c), Health and Safety Code, is amended.

SECTION 3. Same as engrossed version.

SECTION 2. The heading to Section 394.010, Health and Safety Code, is amended.

SECTION 4. Same as engrossed version.

SECTION 3. Section 394.010, Health and Safety Code, is amended.

SECTION 5. Same as engrossed version.

No equivalent provision.

SECTION 6. The changes in law made by this Act apply only to a Texas emissions reduction plan grant awarded on or after the effective date of this Act. A grant awarded before the effective date of this Act is governed by the law in effect on the date the award was made, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.

No equivalent provision.

No equivalent provision.

SECTION 7. Sections 1 and 2 of this Act take effect September 1, 2015, but only if H.B. 14, or similar legislation of the 84th Legislature, Regular Session, 2015, that transfers provisions governing grants for natural gas vehicle fueling facilities along interstate highways connecting Houston, San Antonio, Dallas, and Fort Worth and in nonattainment areas from the Texas natural gas vehicle grant program under Chapter 394, Health and Safety Code, to the Texas alternative fueling facility program under Chapter 393, Health and Safety Code, becomes law. If such a bill does not become law, those sections have no effect.

No equivalent provision.

SECTION 8. Sections 3, 4, and 5, of this Act take effect September 1, 2015, but only if H.B. 14, or similar legislation of the 84th Legislature, Regular Session, 2015, that transfers provisions governing grants for natural gas vehicle fueling facilities along interstate highways connecting Houston, San Antonio, Dallas, and Fort Worth and in nonattainment areas from the Texas natural gas vehicle grant program under Chapter 394, Health and Safety Code, to the Texas alternative fueling facility program under Chapter 393, Health and Safety Code, does not become law. If such a bill becomes law,

those sections have no effect.