

CHAPTER 883

H.B. No. 2822

AN ACT

relating to the creation of consumer incentive or rebate programs for appliances and equipment fueled by alternative fuels.

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

SECTION 1. Subchapter I, Chapter 113, Natural Resources Code, is amended by adding Section 113.2435 to read as follows:

*Sec. 113.2435. CONSUMER INCENTIVE OR REBATE PROGRAMS. (a) The commission may establish consumer rebate programs for purchasers of appliances and equipment fueled by LPG or other environmentally beneficial alternative fuels for the purpose of achieving energy conservation and efficiency and improving the quality of air in this state.*

*(b) The commission may adopt rules necessary to establish a program under this section.*

*(c) Rules adopted and promulgated by the commission under this section shall specify the following:*

*(1) rebate levels for various types of equipment such that the rebates achieve an amount of public good comparable to the rebate amount;*

*(2) a condition that the recipient agree to practice environmentally sound operating principles;*

*(3) a condition that the rebate recipient agree to not modify the equipment for a specified number of years as set by the commission;*

*(4) any other conditions or restrictions determined by the commission that would help ensure that either of the desired goals of achieving energy conservation and efficiency or improving air quality in this state is furthered;*

*(5) a limitation on the proportion of the fund usable for the rebate program that limits the proportion usable to not more than 25 percent of the funds available.*

SECTION 2. Section 113.243(c), Natural Resources Code, is amended to read as follows:

(c) The fund may be used only by the commission to pay for activities relating to the specific fuel from which the fee was derived, including direct and indirect cost relating to:

(1) researching all possible uses of LPG and other alternative fuels to enhance air quality;

(2) researching, developing, and implementing marketing, advertising, and information programs relating to alternative fuels to make alternative fuels more understandable and readily available to consumers;

(3) developing conservation and distribution plans to minimize the frequency and severity of disruptions in the supply of alternative fuels;

(4) developing a public information plan that will provide advisory services relating to alternative fuels to consumers;

(5) developing voluntary participation plans to promote the use of alternative fuels by federal, state, and local agencies;

(6) *implementing consumer incentive or rebate programs developed pursuant to Section 113.2435 of this subchapter;*

(7) other functions the commission determines are necessary to add a program established by the commission for the purpose of promoting the use of LPG or other environmentally beneficial alternative fuels; and

(8) [~~7~~] the administrative costs incurred by the commission under this subchapter.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 11, 1993, by a non-record vote; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 18, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.