

On page 13, line 18, of CSHB 3732, Amend SECTION 10 by inserting promulgate rules to after the word "shall."

On page 13, line 18, insert a new Section 10 as follows and renumber accordingly:

(a) Not later than September 1, 2012 and September 1, 2016, the Texas Commission on Environmental Quality and the State Energy Conservation Office shall issue a joint report to the Legislature providing a status update on the implementation of the Ultra Clean Energy Program and an assessment of whether the emissions profile set out in Section 382.003 (1-a) (B), Health and Safety Code, as amended by this act, should be adjusted to increase or decrease elements of the emissions profile.

(b) Factors to be considered in the assessment of the emissions profile shall include:

(1) the technical and economic feasibility of meeting all of the elements of the emissions profile in a commercially viable project, as documented by the United States Department of Energy;

(2) the technical and economic feasibility of projects to meet all of the elements of the emissions profile and still use a diverse range of fuels, including lignite; and

(3) the adequacy of the incentives provided by this Act to continue to attract investment in and federal funding for ultra clean energy projects in this state.

(c) Any adjustments to the emissions profile implemented by the legislature in response to a report required by this section shall not apply to an application deemed administratively complete on or before the date of the report.

(d) Not later than September 1, 2020, the State Energy Conservation Office shall issue a report to the legislature providing an assessment of whether the ultra clean energy program should be extended due to a continued need for incentives to ensure that a diverse range of affordable fuels, including lignite, can be utilized in a manner that achieves the lowest emission profile that is technically and economically feasible.