

DISCUSSION DRAFT113TH CONGRESS
2^D SESSION**H. R.** _____

To give States the option of addressing emissions of greenhouse gases from existing stationary sources by pricing emissions.

IN THE HOUSE OF REPRESENTATIVES

Mr. DELANEY introduced the following bill; which was referred to the Committee on _____

A BILL

To give States the option of addressing emissions of greenhouse gases from existing stationary sources by pricing emissions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State’s Choice Act of
5 2014”.

6 **SEC. 2. STATE OPTION TO IMPOSE A CARBON TAX.**

7 (a) **APPLICABILITY.**—This section applies with re-
8 spect to any regulation to address climate change issued

1 by the Administrator of the Environmental Protection
2 Agency under section 111(d) of the Clean Air Act (42
3 U.S.C. 7411) for emissions of any greenhouse gas from
4 an existing stationary source.

5 (b) STATE OPTION.—A regulation described in sub-
6 section (a) shall allow a State to impose a carbon tax with
7 respect to greenhouse gas emissions from an existing sta-
8 tionary source instead of, or in conjunction with, applying
9 a standard of performance for such emissions from such
10 existing stationary source.

11 (c) DEFINITIONS.—In this Act:

12 (1) CARBON DIOXIDE EQUIVALENT.—The term
13 “carbon dioxide equivalent” means, for each green-
14 house gas, the quantity of greenhouse gas that the
15 Administrator of the Environmental Protection
16 Agency determines makes the same contribution to
17 global warming as 1 metric ton of carbon dioxide.

18 (2) CARBON TAX.—The term “carbon tax”
19 means an excise tax—

20 (A) (i) on emissions of any greenhouse gas;

21 or

22 (ii) on a fossil fuel based on emissions of
23 any greenhouse gas that will result from the
24 use of such fossil fuel;

1 (B) that in 2015, is not less than \$20 per
2 metric ton of carbon dioxide equivalent; and

3 (C) that in each subsequent year, increases
4 by a rate that is not less than 4 percent above
5 inflation, as measured by the Consumer Price
6 Index for all urban consumers (all items;
7 United States city average).

8 (3) EXISTING STATIONARY SOURCE.—The term
9 “existing stationary source” has the meaning given
10 to the term “existing source” in section 111(a)(6) of
11 the Clean Air Act (42 U.S.C. 7411(a)(6)).

12 (4) GREENHOUSE GAS.—The term “greenhouse
13 gas” means any of the following:

14 (A) Carbon dioxide.

15 (B) Methane.

16 (C) Nitrous oxide.

17 (D) Sulfur hexafluoride.

18 (E) Hydrofluorocarbons.

19 (F) Perfluorocarbons.

20 (5) STATIONARY SOURCE.—The term “sta-
21 tionary source” has the meaning given such term in
22 section 111(a)(3) of the Clean Air Act (42 U.S.C.
23 7411(a)(3)).