



General Assembly

Amendment

February Session, 2006

LCO No. 4704

SB0019304704SD0

Offered by:
SEN. FINCH, 22nd Dist.

To: Subst. Senate Bill No. 193

File No. 261

Cal. No. 206

"AN ACT CONCERNING THE SULFUR CONTENT OF HOME HEATING OIL AND OFF-ROAD DIESEL FUEL."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 16a-21a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The amount of [sulphur] sulfur content of the following fuels
6 sold, offered for sale, distributed or used in this state shall not exceed
7 the following percentages by weight: (1) For number two heating oil,
8 three-tenths of one per cent, and (2) for number two off-road diesel
9 fuel, three-tenths of one per cent.

10 (b) As of the date on which the last of the states of New York,
11 Massachusetts and Rhode Island limit the sulfur content of number
12 two heating oil to one thousand five hundred parts per million, the
13 sulfur content of number two heating oil sold, offered for sale,
14 distributed or used in this state shall not exceed one thousand five

15 hundred parts per million.

16 (c) As of the date on which the last of the states of New York,
17 Massachusetts and Rhode Island limit the sulfur content of number
18 two heating oil to one thousand two hundred fifty parts per million,
19 the sulfur content of number two heating oil sold, offered for sale,
20 distributed or used in this state shall not exceed one thousand two
21 hundred fifty parts per million.

22 (d) As of the date on which the last of the states of New York,
23 Massachusetts and Rhode Island limit the sulfur content of number
24 two heating oil to five hundred parts per million, the sulfur content of
25 number two heating oil sold, offered for sale, distributed or used in
26 this state shall not exceed five hundred parts per million.

27 (e) As of the date on which the last of the states of New York,
28 Massachusetts and Rhode Island limit the sulfur content of number
29 two off-road diesel fuel to five hundred parts per million, the sulfur
30 content of number two off-road diesel fuel offered for sale, distributed
31 or used in this state shall not exceed five hundred parts per million.

32 [(b)] (f) The Commissioner of Environmental Protection may
33 suspend the requirements of [subsection (a)] subsections (a) to (e),
34 inclusive, of this section if [he] the commissioner finds that the
35 physical availability of fuel which complies with such requirements is
36 inadequate to meet the needs of residential, commercial or industrial
37 users in this state and that such inadequate physical availability
38 constitutes an emergency provided [he] the commissioner shall specify
39 in writing the period of time such suspension shall be in effect.

40 Sec. 2. Subdivision (2) of subsection (b) of section 12-587 of the 2006
41 supplement to the general statutes is repealed and the following is
42 substituted in lieu thereof (*Effective July 1, 2006, and applicable to income*
43 *years commencing on or after January 1, 2006*):

44 (2) Gross earnings derived from the first sale of the following
45 petroleum products within this state shall be exempt from tax: (A) Any

46 petroleum products sold for exportation from this state for sale or use
47 outside this state; (B) the product designated by the American Society
48 for Testing and Materials as "Specification for Heating Oil D396-69",
49 commonly known as number 2 heating oil, to be used exclusively for
50 heating purposes or to be used in a commercial fishing vessel, which
51 vessel qualifies for an exemption pursuant to section 12-412, as
52 amended; (C) kerosene, commonly known as number 1 oil, to be used
53 exclusively for heating purposes, provided delivery is of both number
54 1 and number 2 oil, and via a truck with a metered delivery ticket to a
55 residential dwelling or to a centrally metered system serving a group
56 of residential dwellings; (D) the product identified as propane gas, to
57 be used exclusively for heating purposes; (E) bunker fuel oil,
58 intermediate fuel, marine diesel oil and marine gas oil to be used in
59 any vessel having a displacement exceeding four thousand dead
60 weight tons; (F) for any first sale occurring prior to July 1, 2008,
61 propane gas to be used as a fuel for a motor vehicle; (G) for any first
62 sale occurring on or after July 1, 2002, grade number 6 fuel oil, as
63 defined in regulations adopted pursuant to section 16a-22c, to be used
64 exclusively by a company which, in accordance with census data
65 contained in the Standard Industrial Classification Manual, United
66 States Office of Management and Budget, 1987 edition, is included in
67 code classifications 2000 to 3999, inclusive, or in Sector 31, 32 or 33 in
68 the North American Industrial Classification System United States
69 Manual, United States Office of Management and Budget, 1997 edition;
70 (H) for any first sale occurring on or after July 1, 2002, number 2
71 heating oil to be used exclusively in a vessel primarily engaged in
72 interstate commerce, which vessel qualifies for an exemption under
73 section 12-412, as amended; (I) for any first sale occurring on or after
74 July 1, 2000, paraffin or microcrystalline waxes; [or] (J) for any first sale
75 occurring prior to July 1, 2008, petroleum products to be used as a fuel
76 for a fuel cell, as defined in subdivision (113) of section 12-412, as
77 amended, or (K) a commercial heating oil blend containing not less
78 than ten per cent of alternative fuels derived from agricultural
79 produce, food waste, waste vegetable oil or municipal solid waste,
80 including, but not limited to, biodiesel or low sulfur dyed diesel fuel."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-21a
Sec. 2	<i>July 1, 2006, and applicable to income years commencing on or after January 1, 2006</i>	12-587(b)(2)