

By: Landgraf

H.B. No. 238

A BILL TO BE ENTITLED

AN ACT

relating to the storage of radioactive waste or elemental mercury for any period exceeding one year; authorizing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 401.244, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A holder of a license or permit issued by the commission under this chapter or Chapter 361 that authorizes the storage, other than disposal, of a radioactive waste or elemental mercury from other persons shall remit each quarter to the commissioners court of the host county five percent of the license or permit holder's gross receipts received from the storage of a radioactive waste or elemental mercury for any period exceeding one year. This subsection applies only to the storage of the substance for any period exceeding one year. This subsection applies only to the storage of radioactive waste or elemental mercury at or adjacent to the compact waste disposal facility.

SECTION 2. Sec. 401.271(a), Health and Safety Code, is amended to read as follows:

(a) A holder of a license issued by the commission under this chapter that authorizes the disposal of a radioactive substance from other persons shall remit each quarter an amount equal to 10 percent of the license holder's gross receipts received from disposal operations under a license issued under this chapter

1 that occur after the effective date of the Act enacting this section
2 as follows:

3 (1) five percent shall be remitted to the comptroller
4 for deposit to the credit of the general revenue fund; and

5 (2) five percent shall be remitted to the host county
6 in accordance with Section [~~Sections~~] [401.244](#) [~~(b) and (d)~~].

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section [39](#), Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect on the 91st day after the last day of the
12 legislative session.