

BILL ANALYSIS

C.S.H.B. 1678
By: Chisum
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the 77th (R) legislative session, HB 1099 passed allowing the Bureau of Radiation Control (BRC) to collect an additional five percent fee from radioactive material licensees. Additionally, the bill allowed the BRC to put this fee increase as well as administrative penalties into the Radiation Perpetual Care Fund.

As the Texas Department of Health (TDH) started rulemaking for this purpose, it was pointed out that all the funds from previously created riders had been swept and the Radiation Perpetual Care Fund could not be used for the purpose intended in HB 1099.

In order to re-establish the Radiation Perpetual Care Fund, it needs to be re-created under a new name (for sake of clarity). The fees deposited into this fund are to be used to mitigate or prevent adverse effects from abandonment of radioactive sources or contaminated sites.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Changes the name of the radiation and perpetual care fund to the radiation and perpetual care account.

SECTION 2. Makes conforming changes.

SECTION 3. Requires the department or commission to deposit security provided under this section to the credit of the perpetual care account.

SECTION 4. Makes conforming change.

SECTION 5. Makes conforming change.

SECTION 6. Makes conforming change.

SECTION 7. Makes conforming change.

SECTION 8. Makes conforming changes.

SECTION 9. Makes conforming change.

SECTION 10. Makes conforming change.

SECTION 11. Makes conforming change.

SECTION 12. Makes conforming change.

SECTION 13. Effective date: September 1, 2003

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 1678 requires fees assessed under Sec. 401.052 to be collected by the Texas Department of Health, rather than the "Authority."