

AN ACT

relating to the creation of the operating permit fees account for fees collected under Titles IV and V of the Clean Air Act.

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

SECTION 1. Section 382.0622, Health and Safety Code, is amended by amending Subsection (b) and adding Subsections (b-1), (b-2), and (b-3) to read as follows:

(b) Except as provided by Subsection (b-1), Clean Air Act fees shall be deposited in the state treasury to the credit of the clean air account and shall be used to safeguard the air resources of the state.

(b-1) Fees collected under Section 382.0621(a) on or after September 1, 2003, shall be deposited in the state treasury to the credit of the operating permit fees account. Fees collected under Section 382.0621(a) may not be commingled with any fees in the clean air account or with any other money in the state treasury.

(b-2) Money in the operating permit fees account established under Subsection (b-1) may be appropriated to the commission only to cover the costs of developing and administering the federal permit programs under Title IV or V of the federal Clean Air Act (42 U.S.C. Section 7651 et seq. and Section 7661 et seq.).

(b-3) Section 403.095, Government Code, does not apply to the operating permit fees account established under Subsection (b-1), and any balance remaining in the operating permit fees

1 account at the end of a fiscal year shall be left in the account and  
2 used in the next or subsequent fiscal years only for the purposes  
3 stated in Subsection (b-2).

4 SECTION 2. (a) This Act takes effect September 1, 2003.

5 (b) Not later than December 1, 2003, the Texas Commission on  
6 Environmental Quality shall adopt any rules required for the  
7 implementation of this Act.

H.B. No. 1481

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1481 was passed by the House on April 30, 2003, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 1481 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor