

By: Allen

H.B. No. 1481

Substitute the following for H.B. No. 1481:

By: Bonnen

C.S.H.B. No. 1481

A BILL TO BE ENTITLED

1

AN ACT

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

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

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

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

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

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

22 (b-3) Section 403.095, Government Code, does not apply to  
23 the operating permit fees account established under Subsection  
24 (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.