

By: Allen

H.B. No. 1481

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of a subaccount for fees collected under
3 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 Subsections (b) and (c) and adding Subsections
7 (b-1), (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) A fee collected under Section 382.0621(a) on or after
13 September 1, 2003, shall be deposited to the credit of a subaccount
14 in the clean air account. Fees collected under Section 382.0621(a)
15 may not be commingled with any other fees in the clean air account
16 or with any other money in the state treasury.

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

22 (b-3) Section 403.095, Government Code, does not apply to
23 the subaccount established under Subsection (b-1), and any balance
24 remaining in the subaccount at the end of a fiscal year shall be

1 left in the subaccount and used in the next or subsequent fiscal
2 years only for the purposes stated in Subsection (b-2).

3 (c) The commission shall request the appropriation of
4 sufficient money to safeguard the air resources of the state,
5 including payments to the Public Safety Commission for incidental
6 costs of administering the vehicle emissions inspection and
7 maintenance program[~~, except that after the date of delegation of~~
8 ~~the state's permitting program under Title V of the federal Clean~~
9 ~~Air Act (42 U.S.C. Sections 7661 et seq.), fees collected under~~
10 ~~Section 382.0621(a) may be appropriated only to cover costs of~~
11 ~~developing and administering the federal permit program under~~
12 ~~Titles IV and V of the federal Clean Air Act (42 U.S.C. Sections~~
13 ~~7651 et seq. and 7661 et seq.)].~~

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

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