

Amend CSHB 3 as follows by adding the following appropriately numbered Article to read as follows:

ARTICLE ____ . ELECTRIC FEE

SECTION ____ .01. Subtitle B, Title 2, Utilities Code, is amended by adding Chapter 42 to read as follows:

CHAPTER 42. FEE ON SALE OF ELECTRICITY

Sec. 42.001. APPLICATION OF CHAPTER. This chapter applies to:

(1) an electric utility that provides electric service to retail commercial customers;

(2) a retail electric provider;

(3) a municipally owned utility; and

(4) an electric cooperative that provide electric service to retail commercial customers.

Sec. 42.002. IMPOSITION OF FEE. Each electric utility, retail electric provider, municipally owned utility, and electric cooperative shall collect from each retail commercial customer a fee as provided by this chapter.

Sec. 42.002. RATE OF FEE. The rate of the fee imposed under this chapter is equal to \$5 for each megawatt hour sold to a retail customer each month.

Sec. 42.003. PAYMENT OF FEE. (a) On or before the 20th day of the month following the end of each calendar month, each electric utility, retail electric provider, municipally owned utility, or electric cooperative that is required to collect the fee under this chapter shall send to the comptroller the amount of the fee the utility, provider, or cooperative collected for the preceding calendar month.

(b) An electric utility, retail electric provider, municipally owned utility, or electric cooperative that makes timely payment of the fee imposed under this subchapter is entitled to retain an amount equal to one-half of one percent of the amount of the fees due as reimbursement for the costs of collecting the fee.

Sec. 42.004. REPORTS. On or before the 20th day of the month following the end of each calendar month, each electric utility, retail electric provider, municipally owned utility, or electric

cooperative that is required to collect the fee under this chapter shall file with the comptroller a report stating:

(1) the number of megawatt hours sold to retail customers during the preceding calendar month; and

(2) any other information required by the comptroller.

Sec. 42.005. RECORDS. An electric utility, retail electric provider, municipally owned utility, or electric cooperative that is required to collect the fee under this chapter shall keep a complete record of:

(1) the number of megawatt hours sold to retail customers during the preceding calendar month; and

(2) any other information required by the comptroller.

Sec. 42.006. ALLOCATION OF TAX REVENUE. (a) The revenue from the fee imposed by this chapter shall be deposited to the credit of the general revenue fund.

(b) Fifty percent of the money deposited to the credit of the general revenue fund under Subsection (b) may be used only to reduce the rate of the taxes imposed under Chapter 151, Tax Code. The remainder of the money deposited under Subsection (a) may be used only to reduce the rates of the taxes imposed under Chapters 171 and 251, Tax Code.