

Amend CSHB 2376 as follows:

(1) On page 4, line 2, strike "Section 374.053" and substitute "Sections 374.053(c)(3), (4), and (5)".

(2) Strike page 6, line 26 through page 7, line 2, and substitute the following:

(b) An annual registration fee, the total amount of which may be divided into quarterly payments and billed on dates established by the commission, is assessed as follows [~~Except for a carbon dioxide facility, the registration must be accompanied by a fee of~~]:

(3) On page 7, line 20, strike "\$250" and substitute "\$125".

(4) On page 8, strike lines 6-12 and substitute the following:

(f) For each registration application, the commission shall request that the comptroller verify whether the owner submitting the registration application is in good standing with the state and whether the owner's selection on the registration application of the gross annual receipts classification for the dry cleaning facility or drop station agrees with information reported to the comptroller for the same tax or reporting year. Not later than the third business day after the comptroller receives the verification request, based in part on information supplied by the commission, the comptroller shall report to the commission the owner's standing and whether the owner's application information agrees with the comptroller's information.

(5) On page 8, line 20, immediately following the period, insert "The person who distributes the solvent shall collect the fees and shall pay to the commission the amount due, in accordance with Subsection (a-1).".

(6) On page 8, line 24, strike "two" and substitute "one".

(7) On page 8, lines 25-26, strike "and shall pay the remaining amount [~~fee~~] to the commission" and substitute "if the distributor pays [~~shall pay~~] the remaining amount [~~fee~~] to the commission not later than the date prescribed by the commission".

(8) On page 9, lines 12-13, strike "before December 31, 2005" and substitute "on or before February 28, 2006".

(9) On page 12, between lines 3 and 4, insert the following

appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION _____. Section 374.202, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

(c) The commission, or the attorney general at the request of the commission, may bring a civil action to recover any amounts owed to the commission under this section. The commission or attorney general, as applicable, may recover court costs, the costs of preparing for litigation, and reasonable attorney's fees incurred in an action brought under this section. An owner is jointly and severally liable with any other defendant for the entire amount of costs.

(10) On page 14, line 23, strike "374.105(c)" and substitute "374.105".

(11) On page 15, strike lines 11-27 and substitute the following:

(c) Notwithstanding Section 374.102, Health and Safety Code, as added by Chapter 540, Acts of the 78th Legislature, Regular Session, 2003, a registration fee that was payable before September 1, 2005, for a dry cleaning drop station as that term is defined by Section 374.001, Health and Safety Code, as amended by this Act, is payable not later than October 1, 2005, in the amount of \$125 for each dry cleaning drop station that is owned by the owner of a dry cleaning facility that was registered and designated as nonparticipating under Section 374.104, Health and Safety Code, before the effective date of this Act.

(12) On page 16, between lines 16 and 17, insert the following:

(f) On or before February 28, 2006, the owner of a dry cleaning facility that filed an option not to participate under Section 374.104, Health and Safety Code, before the effective date of this Act, must comply with Subsection (c)(3) of that section, as added by this Act, to maintain nonparticipating status.