

By: West

H.B. No. 472

A BILL TO BE ENTITLED

AN ACT

relating to annual fees imposed by the Railroad Commission of Texas in connection with surface coal mining and reclamation operations.

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

SECTION 1. Section 134.055, Natural Resources Code, is amended to read as follows:

Sec. 134.055. ANNUAL FEES [~~FEES~~]. (a) In addition to the application fees required by Section 134.054, each permit holder shall pay to the commission the following [~~an~~] annual fees:

(1) a fee [~~, in an amount determined by the commission,~~] for each acre of land in the permit area on which the permit holder actually conducted operations for removing coal during the year;

(2) a fee for each acre of land in the bonded permit area on December 31 of the year; and

(3) a fee for the permit if the permit was in effect on December 31 of the year.

(b) A [~~The~~] fee under Subsection (a) is due not later than March 15 of the year following the year for which the fee was imposed [~~of the removal operations~~].

(c) The commission shall determine the amount of each fee under Subsection (a) [~~may not be less than \$120 an acre~~].

SECTION 2. (a) The Railroad Commission of Texas shall adopt rules setting the fees required under Section 134.055, Natural

1 Resources Code, as amended by this Act, not later than December 1,
2 2005. If necessary, the commission may adopt emergency rules
3 setting the fees to meet the December 1 date.

4 (b) The change in law made by this Act applies only to a fee
5 imposed under Section 134.055, Natural Resources Code, as amended
6 by this Act, for a calendar year that begins on or after January 1,
7 2006. A fee imposed under Section 134.055, Natural Resources Code,
8 for a calendar year that begins before January 1, 2006, is governed
9 by the law as it existed immediately before the effective date of
10 this Act, and that law is continued in effect for that purpose.

11 SECTION 3. This Act takes effect September 1, 2005.