

1-1 By: West (Senate Sponsor - Armbrister) H.B. No. 472  
1-2 (In the Senate - Received from the House March 29, 2005;  
1-3 March 30, 2005, read first time and referred to Committee on  
1-4 Natural Resources; May 4, 2005, reported favorably by the  
1-5 following vote: Yeas 9, Nays 0; May 4, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to annual fees imposed by the Railroad Commission of Texas  
1-9 in connection with surface coal mining and reclamation operations.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 134.055, Natural Resources Code, is  
1-12 amended to read as follows:

1-13 Sec. 134.055. ANNUAL FEES [~~FEES~~]. (a) In addition to the  
1-14 application fees required by Section 134.054, each permit holder  
1-15 shall pay to the commission the following ~~[an]~~ annual fees:

1-16 (1) a fee [~~, in an amount determined by the~~  
1-17 ~~commission,~~] for each acre of land in the permit area on which the  
1-18 permit holder actually conducted operations for removing coal  
1-19 during the year;

1-20 (2) a fee for each acre of land in the bonded permit  
1-21 area on December 31 of the year; and

1-22 (3) a fee for the permit if the permit was in effect on  
1-23 December 31 of the year.

1-24 (b) A [~~The~~] fee under Subsection (a) is due not later than  
1-25 March 15 of the year following the year for which the fee was  
1-26 imposed [~~of the removal operations~~].

1-27 (c) The commission shall determine the amount of each fee  
1-28 under Subsection (a) [~~may not be less than \$120 an acre~~].

1-29 SECTION 2. (a) The Railroad Commission of Texas shall adopt  
1-30 rules setting the fees required under Section 134.055, Natural  
1-31 Resources Code, as amended by this Act, not later than December 1,  
1-32 2005. If necessary, the commission may adopt emergency rules  
1-33 setting the fees to meet the December 1 date.

1-34 (b) The change in law made by this Act applies only to a fee  
1-35 imposed under Section 134.055, Natural Resources Code, as amended  
1-36 by this Act, for a calendar year that begins on or after January 1,  
1-37 2006. A fee imposed under Section 134.055, Natural Resources Code,  
1-38 for a calendar year that begins before January 1, 2006, is governed  
1-39 by the law as it existed immediately before the effective date of  
1-40 this Act, and that law is continued in effect for that purpose.

1-41 SECTION 3. This Act takes effect September 1, 2005.

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