

By: Rodriguez

H.B. No. 911

A BILL TO BE ENTITLED

AN ACT

relating to operating permit fees for air pollutant emissions.

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

SECTION 1. Section 382.0621(d), Health and Safety Code, is amended to read as follows:

(d) Except as provided by this section, the commission may not impose a fee for any amount of emissions of an air contaminant regulated under the federal Clean Air Act Amendments of 1990 (Pub.L. No. 101-549) in excess of 8,000 ~~[4,000]~~ tons per year from any source. ~~[On and after September 1, 2001, for a facility that is not subject to the requirement to obtain a permit under Section 382.0518(g) that does not have a permit application pending, the commission shall:~~

~~[(1) impose a fee under this section for all emissions, including emissions in excess of 4,000 tons; and~~

~~[(2) treble the amount of the fee imposed for emissions in excess of 4,000 tons each fiscal year.]~~

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.