

By: Staples

S.B. No. 444

Substitute the following for S.B. No. 444:

By: Bohac

C.S.S.B. No. 444

A BILL TO BE ENTITLED

AN ACT

1
2 relating to registration fee credits for the owners of certain dry
3 cleaning facilities that do not participate in the dry cleaning
4 facility release fund.

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

6 SECTION 1. Subsection (b), Section 374.104, Health and
7 Safety Code, is amended to read as follows:

8 (b) An option not to participate must be filed on or before
9 February 28, 2006 [~~January 1, 2004~~]. An owner may not file an
10 option not to participate after September 1, 2005, unless the owner
11 was:

12 (1) the owner of the dry cleaning facility or drop
13 station on January 1, 2004; and

14 (2) eligible to file the option on or before January 1,
15 2004, and inadvertently failed to file before that date.

16 SECTION 2. An owner of a dry cleaning facility who files an
17 option not to participate in the dry cleaning facility release fund
18 on or before February 28, 2006, and whose facility is designated as
19 nonparticipating by the Texas Commission on Environmental Quality
20 under Section 374.104, Health and Safety Code, as amended by this
21 Act, is entitled to a credit against future registration fees under
22 Section 374.102, Health and Safety Code, to the extent that a
23 registration fee paid in 2004 or 2005 exceeded the amount due for a
24 nonparticipating dry cleaning facility.

1 SECTION 3. Not later than February 28, 2006, the Texas
2 Commission on Environmental Quality shall adopt rules governing
3 applications to register a dry cleaning facility as
4 nonparticipating in the dry cleaning facility release fund under
5 Section 374.104, Health and Safety Code, as amended by this Act.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2005.