

BILL ANALYSIS

H.B. 2232
By: Corte, Frank
Energy Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, under the Texas Surface Coal Mining and Reclamation Act (TSCMRA), the Railroad Commission of Texas (RRC) may not assess a penalty which exceeds \$5,000 for a violation under the TSCMRA. This maximum penalty amount was established in 1979. According to the RRC, the consumer price index has increased by a factor of about 2.5 times since 1979. This bill will increase the maximum penalty under the TSCMRA to \$13,000 to reflect the change in the consumer price index.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This bill amends the Natural Resources Code to increase the maximum penalty amount for a violation from \$5,000 to \$13,000. This bill clarifies that the change in law made by this Act applies only to the assessment of an administrative penalty for a violation that occurs on or after the effective date of this Act. It further clarifies that the assessment of an administrative penalty for a violation that occurs before the effective date of this Act is governed by the law in effect on the date the violation occurred, and that law is continued in effect for that purpose.

EFFECTIVE DATES

September 1, 2007.