

AN ACT

relating to the fees imposed by the Texas Commission on Environmental Quality in connection with plans that are subject to review and approval under the commission's rules for the protection of the Edwards Aquifer.

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

SECTION 1. Section 26.0461, Water Code, is amended by amending Subsections (b), (d), (e), and (h) and adding Subsection (d-1) to read as follows:

(b) The plans for which fees may be imposed are:

(1) water pollution abatement plans;

(2) plans for sewage collection systems; ~~and~~

(3) plans for hydrocarbon storage facilities or hazardous substance storage facilities; and

(4) contributing zone plans.

(d) Except as provided by Subsection (d-1), a [A] fee imposed under this section may not be less than \$100 or more than \$6,500 [~~\$5,000~~].

(d-1) A fee imposed under this section may not be more than \$13,000 if the fee is for a water pollution abatement or contributing zone plan for a development of more than 40 acres.

(e) A fee charged under this section must be based on the following criteria:

(1) if a pollution abatement or contributing zone

1 plan, the area or acreage covered by the plan;

2 (2) if a sewage collection systems plan, the number of
3 linear feet of pipe or line; ~~and~~

4 (3) if a hydrocarbon storage facility or hazardous
5 substance storage facility plan, the number of tanks; and

6 (4) the type of activity subject to regulation.

7 (h) A fee collected under this section shall be deposited in
8 the State Treasury to the credit of a special program to be used
9 only for administering the commission's Edwards Aquifer program,
10 including:

11 (1) monitoring surface water, stormwater, and
12 groundwater quality in the Edwards Aquifer program area; and

13 (2) developing geographic information systems (GIS)
14 data layers for the Edwards Aquifer program ~~[programs]~~.

15 SECTION 2. The changes in law made by this Act apply only to
16 fees imposed in connection with plans filed with the Texas
17 Commission on Environmental Quality on or after the effective date
18 of this Act. Fees imposed in connection with plans filed with the
19 Texas Commission on Environmental Quality before the effective date
20 of this Act are governed by the law as it existed immediately before
21 the effective date of this Act, and that law is continued in effect
22 for that purpose.

23 SECTION 3. This Act takes effect September 1, 2007.

H.B. No. 3098

President of the Senate

Speaker of the House

I certify that H.B. No. 3098 was passed by the House on May 10, 2007, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3098 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor