

By: Crownover

H.B. No. 3739

A BILL TO BE ENTITLED

AN ACT

relating to fees on the delivery of certain petroleum products.

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

SECTION 1. Section 26.3574(b), Water Code, is amended to read as follows:

(b) A fee is imposed on the delivery of a petroleum product on withdrawal from bulk of that product as provided by this subsection. Each operator of a bulk facility on withdrawal from bulk of a petroleum product shall collect from the person who orders the withdrawal a fee in an amount determined as follows:

(1) \$3.75 [~~\$12.50~~] for each delivery into a cargo tank having a capacity of less than 2,500 gallons [~~for the state fiscal year beginning September 1, 2001, and the state fiscal year beginning September 1, 2002, and \$10.00 for each delivery into a cargo tank having a capacity of less than 2,500 gallons for the state fiscal year beginning September 1, 2003, through the state fiscal year ending August 31, 2007~~];

(2) \$7.50 [~~\$25.00~~] for each delivery into a cargo tank having a capacity of 2,500 gallons or more but less than 5,000 gallons [~~for the state fiscal year beginning September 1, 2001, and the state fiscal year beginning September 1, 2002, and \$20.00 for each delivery into a cargo tank having a capacity of 2,500 gallons or more but less than 5,000 gallons for the state fiscal year beginning September 1, 2003, through the state fiscal year ending~~]

1 ~~August 31, 2007];~~

2 (3) \$11.75 [~~\$37.50~~] for each delivery into a cargo  
3 tank having a capacity of 5,000 gallons or more but less than 8,000  
4 gallons [~~for the state fiscal year beginning September 1, 2001, and~~  
5 ~~the state fiscal year beginning September 1, 2002, and \$30.00 for~~  
6 ~~each delivery into a cargo tank having a capacity of 5,000 gallons~~  
7 ~~or more but less than 8,000 gallons for the state fiscal year~~  
8 ~~beginning September 1, 2003, through the state fiscal year ending~~  
9 ~~August 31, 2007];~~

10 (4) \$15.00 [~~\$50.00~~] for each delivery into a cargo  
11 tank having a capacity of 8,000 gallons or more but less than 10,000  
12 gallons [~~for the state fiscal year beginning September 1, 2001, and~~  
13 ~~the state fiscal year beginning September 1, 2002, and \$40.00 for~~  
14 ~~each delivery into a cargo tank having a capacity of 8,000 gallons~~  
15 ~~or more but less than 10,000 gallons for the state fiscal year~~  
16 ~~beginning September 1, 2003, through the state fiscal year ending~~  
17 ~~August 31, 2007]; and~~

18 (5) \$7.50 [~~a \$25.00 fee~~] for each increment of 5,000  
19 gallons or any part thereof delivered into a cargo tank having a  
20 capacity of 10,000 gallons or more [~~for the state fiscal year~~  
21 ~~beginning September 1, 2001, and the state fiscal year beginning~~  
22 ~~September 1, 2002, and \$20.00 for each increment of 5,000 gallons~~  
23 ~~or any part thereof delivered into a cargo tank having a capacity of~~  
24 ~~10,000 gallons or more for the state fiscal year beginning~~  
25 ~~September 1, 2003, through the state fiscal year ending August 31,~~  
26 ~~2007].~~

27 SECTION 2. The changes in law made by this Act apply only to

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1 a fee imposed on the delivery of a petroleum product on or after the  
2 effective date of this Act. A fee imposed on the delivery of a  
3 petroleum product before the effective date of this Act is governed  
4 by the former law, and that law is continued in effect for that  
5 purpose.

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