

By: Crownover

H.B. No. 3739

A BILL TO BE ENTITLED

AN ACT

relating to fees on 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) ~~[\$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,]~~ \$5.00 for each delivery into a cargo tank having a capacity of less than 2,500 gallons for the state fiscal year beginning September 1, 2007 and every fiscal year thereafter.

(2) ~~[\$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~~

1 ~~more but less than 5,000 gallons for the state fiscal year beginning~~
2 ~~September 1, 2003, through the state fiscal year ending August 31,~~
3 ~~2007,]~~ \$10.00 for each delivery into a cargo tank having a capacity
4 of 2,500 gallons or more but less than 5,000 gallons for the state
5 fiscal year beginning September 1, 2007 and every fiscal year
6 thereafter.

7 (3) ~~[\$37.50 for each delivery into a cargo tank having~~
8 ~~a capacity of 5,000 gallons or more but less than 8,000 gallons for~~
9 ~~the state fiscal year beginning September 1, 2001, and the state~~
10 ~~fiscal year beginning September 1, 2002, and \$30.00 for each~~
11 ~~delivery into a cargo tank having a capacity of 5,000 gallons or~~
12 ~~more but less than 8,000 gallons for the state fiscal year beginning~~
13 ~~September 1, 2003, through the state fiscal year ending August 31,~~
14 ~~2007,]~~ \$15.00 for each delivery into a cargo tank having a capacity
15 of 5,000 gallons or more but less than 8,000 gallons for the state
16 fiscal year beginning September 1, 2007 and every fiscal year
17 thereafter.

18 (4) ~~[\$50.00 for each delivery into a cargo tank having~~
19 ~~a capacity of 8,000 gallons or more but less than 10,000 gallons for~~
20 ~~the state fiscal year beginning September 1, 2001, and the state~~
21 ~~fiscal year beginning September 1, 2002, and \$40.00 for each~~
22 ~~delivery into a cargo tank having a capacity of 8,000 gallons or~~
23 ~~more but less than 10,000 gallons for the state fiscal year~~
24 ~~beginning September 1, 2003, through the state fiscal year ending~~
25 ~~August 31, 2007,]~~ \$20.00 for each delivery into a cargo tank having
26 a capacity of 8,000 gallons or more but less than 10,000 gallons for
27 the state fiscal year beginning September 1, 2007 and every fiscal

1 year thereafter; and

2 (5) ~~[a \$25.00 fee for each increment of 5,000 gallons~~
3 ~~or any part thereof delivered into a cargo tank having a capacity of~~
4 ~~10,000 gallons or more for the state fiscal year beginning~~
5 ~~September 1, 2001, and the state fiscal year beginning September 1,~~
6 ~~2002, and \$20.00 for each increment of 5,000 gallons or any part~~
7 ~~thereof delivered into a cargo tank having a capacity of 10,000~~
8 ~~gallons or more for the state fiscal year beginning September 1,~~
9 ~~2003, through the state fiscal year ending August 31, 2007.]~~ \$10.00
10 for each increment of 5,000 gallons or any part thereof delivered
11 into a cargo tank having a capacity of 10,000 gallons or more for
12 the state fiscal year beginning September 1, 2007 and every fiscal
13 year thereafter.

14 SECTION 2. The Texas Commission on Environmental Quality
15 may adopt rules implementing the changes in law effected by this
16 Act.

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