

By: Farabee

H.B. No. 2853

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the amount and use of certain fees imposed in connection  
3 with oil and gas activities.

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

5 SECTION 1. Section 81.116(a), Natural Resources Code, is  
6 amended to read as follows:

7 (a) An oil-field cleanup regulatory fee is imposed on crude  
8 petroleum produced in this state in the amount of five-sixteenths  
9 [~~five-eighths~~] of one cent on each barrel of 42 standard gallons.

10 SECTION 2. Section 81.117(a), Natural Resources Code, is  
11 amended to read as follows:

12 (a) An oil-field cleanup regulatory fee is imposed on gas  
13 initially produced and saved in this state in the amount of  
14 one-thirtieth [~~one-fifteenth~~] of one cent for each thousand cubic  
15 feet.

16 SECTION 3. Section 85.2021(d), Natural Resources Code, is  
17 amended to read as follows:

18 (d) One-half of the [~~All~~] fees collected under this section  
19 shall be deposited in the state oil-field cleanup fund.

20 SECTION 4. Section 91.111(c), Natural Resources Code, is  
21 amended to read as follows:

22 (c) The fund consists of:

23 (1) penalties imposed under Section 85.381 for  
24 violation of a law, order, or rule relating to well plugging

1 requirements;

2 (2) proceeds from bonds and other financial security  
3 required by this chapter and benefits under well-specific plugging  
4 insurance policies described by Section 91.104(c) that are paid to  
5 the state as contingent beneficiary of the policies, subject to the  
6 refund provisions of Section 91.1091, if applicable;

7 (3) private contributions, including contributions  
8 made under Section 89.084;

9 (4) expenses collected under Section 89.083;

10 (5) one-half of the fees imposed under Section  
11 85.2021;

12 (6) civil penalties collected for violations of  
13 Chapter 89 or of rules or orders relating to plugging that are  
14 adopted under this code;

15 (7) proceeds collected under Sections 89.085 and  
16 91.115;

17 (8) interest earned on the funds deposited in the  
18 fund;

19 (9) civil penalties or costs recovered under Section  
20 91.457 or 91.459;

21 (10) oil and gas waste hauler permit application fees  
22 collected under Section 29.015, Water Code;

23 (11) costs recovered under Section 91.113(f);

24 (12) hazardous oil and gas waste generation fees  
25 collected under Section 91.605;

26 (13) oil-field cleanup regulatory fees on oil  
27 collected under Section 81.116;

1           (14) oil-field cleanup regulatory fees on gas  
2 collected under Section 81.117;

3           (15) fees for a reissued certificate collected under  
4 Section 91.707;

5           (16) fees collected under Section 91.1013;

6           (17) fees collected under Section 89.088;

7           (18) penalties collected under Section 81.0531;

8           (19) fees collected under Section 91.142;

9           (20) fees collected under Section 91.654;

10          (21) costs recovered under Sections 91.656 and 91.657;

11          (22) two-thirds of the fees collected under Section  
12 81.0521; and

13          (23) legislative appropriations.

14          SECTION 5. This Act takes effect September 1, 2009.