

By: Seliger

S.B. No. 2170

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. Subsection (a), Section 81.116, Natural  
6 Resources Code, is 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. Subsection (a), Section 81.117, Natural  
11 Resources Code, is 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. Subsection (d), Section 85.2021, Natural  
17 Resources Code, is 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, and  
20 one-half of the fees collected under this section shall be  
21 deposited in the oil and gas regulatory and development fund.

22 SECTION 4. Subchapter F, Chapter 85, Natural Resources  
23 Code, is amended by adding Section 85.2022 to read as follows:

24 Sec. 85.2022. OIL AND GAS REGULATORY AND DEVELOPMENT FUND.

1 (a) The oil and gas regulatory and development fund is created as a  
2 special account in the general revenue fund. The fund consists of  
3 one-half of the fees imposed under Section 85.2021.

4 (b) Money in the fund may be appropriated only to the  
5 commission for activities related to the regulation and development  
6 of oil and gas.

7 SECTION 5. Subsection (c), Section 91.111, Natural  
8 Resources Code, is amended to read as follows:

9 (c) The fund consists of:

10 (1) penalties imposed under Section 85.381 for  
11 violation of a law, order, or rule relating to well plugging  
12 requirements;

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

18 (3) private contributions, including contributions  
19 made under Section 89.084;

20 (4) expenses collected under Section 89.083;

21 (5) one-half of the fees imposed under Section  
22 85.2021;

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

26 (7) proceeds collected under Sections 89.085 and  
27 91.115;

- 1           (8) interest earned on the funds deposited in the  
2 fund;
- 3           (9) civil penalties or costs recovered under Section  
4 91.457 or 91.459;
- 5           (10) oil and gas waste hauler permit application fees  
6 collected under Section 29.015, Water Code;
- 7           (11) costs recovered under Section 91.113(f);
- 8           (12) hazardous oil and gas waste generation fees  
9 collected under Section 91.605;
- 10          (13) oil-field cleanup regulatory fees on oil  
11 collected under Section 81.116;
- 12          (14) oil-field cleanup regulatory fees on gas  
13 collected under Section 81.117;
- 14          (15) fees for a reissued certificate collected under  
15 Section 91.707;
- 16          (16) fees collected under Section 91.1013;
- 17          (17) fees collected under Section 89.088;
- 18          (18) penalties collected under Section 81.0531;
- 19          (19) fees collected under Section 91.142;
- 20          (20) fees collected under Section 91.654;
- 21          (21) costs recovered under Sections 91.656 and 91.657;
- 22          (22) two-thirds of the fees collected under Section  
23 81.0521; and
- 24          (23) legislative appropriations.

25           SECTION 6. This Act takes effect September 1, 2009.