

1-1 By: Seliger S.B. No. 2170
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 30, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 30, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2170 By: Seliger

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the amount and use of certain fees imposed in connection
1-11 with oil and gas activities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 81.116, Natural
1-14 Resources Code, is amended to read as follows:

1-15 (a) An oil-field cleanup regulatory fee is imposed on crude
1-16 petroleum produced in this state in the amount of five-sixteenths
1-17 [~~five-eighths~~] of one cent on each barrel of 42 standard gallons.

1-18 SECTION 2. Subsection (a), Section 81.117, Natural
1-19 Resources Code, is amended to read as follows:

1-20 (a) An oil-field cleanup regulatory fee is imposed on gas
1-21 initially produced and saved in this state in the amount of
1-22 one-thirtieth [~~one-fifteenth~~] of one cent for each thousand cubic
1-23 feet.

1-24 SECTION 3. Subsection (d), Section 85.2021, Natural
1-25 Resources Code, is amended to read as follows:

1-26 (d) One-half of the [All] fees collected under this section
1-27 shall be deposited in the state oil-field cleanup fund, and
1-28 one-half of the fees collected under this section shall be
1-29 deposited in the oil and gas regulatory and development fund.

1-30 SECTION 4. Subchapter F, Chapter 85, Natural Resources
1-31 Code, is amended by adding Section 85.2022 to read as follows:

1-32 Sec. 85.2022. OIL AND GAS REGULATORY AND DEVELOPMENT FUND.

1-33 (a) The oil and gas regulatory and development fund is created as a
1-34 special account in the general revenue fund. The fund consists of
1-35 one-half of the fees imposed under Section 85.2021.

1-36 (b) Money in the fund may be appropriated only to the
1-37 commission for activities related to the regulation and development
1-38 of oil and gas.

1-39 SECTION 5. Subsection (c), Section 91.111, Natural
1-40 Resources Code, is amended to read as follows:

1-41 (c) The fund consists of:

1-42 (1) penalties imposed under Section 85.381 for
1-43 violation of a law, order, or rule relating to well plugging
1-44 requirements;

1-45 (2) proceeds from bonds and other financial security
1-46 required by this chapter and benefits under well-specific plugging
1-47 insurance policies described by Section 91.104(c) that are paid to
1-48 the state as contingent beneficiary of the policies, subject to the
1-49 refund provisions of Section 91.1091, if applicable;

1-50 (3) private contributions, including contributions
1-51 made under Section 89.084;

1-52 (4) expenses collected under Section 89.083;

1-53 (5) one-half of the fees imposed under Section
1-54 85.2021;

1-55 (6) civil penalties collected for violations of
1-56 Chapter 89 or of rules or orders relating to plugging that are
1-57 adopted under this code;

1-58 (7) proceeds collected under Sections 89.085 and
1-59 91.115;

1-60 (8) interest earned on the funds deposited in the
1-61 fund;

1-62 (9) civil penalties or costs recovered under Section
1-63 91.457 or 91.459;

- 2-1 (10) oil and gas waste hauler permit application fees
- 2-2 collected under Section 29.015, Water Code;
- 2-3 (11) costs recovered under Section 91.113(f);
- 2-4 (12) hazardous oil and gas waste generation fees
- 2-5 collected under Section 91.605;
- 2-6 (13) oil-field cleanup regulatory fees on oil
- 2-7 collected under Section 81.116;
- 2-8 (14) oil-field cleanup regulatory fees on gas
- 2-9 collected under Section 81.117;
- 2-10 (15) fees for a reissued certificate collected under
- 2-11 Section 91.707;
- 2-12 (16) fees collected under Section 91.1013;
- 2-13 (17) fees collected under Section 89.088;
- 2-14 (18) penalties collected under Section 81.0531;
- 2-15 (19) fees collected under Section 91.142;
- 2-16 (20) fees collected under Section 91.654;
- 2-17 (21) costs recovered under Sections 91.656 and 91.657;
- 2-18 (22) two-thirds of the fees collected under Section
- 2-19 81.0521; and
- 2-20 (23) legislative appropriations.
- 2-21 SECTION 6. This Act takes effect September 1, 2009.

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