

By: Aliseda

H.B. No. 2259

A BILL TO BE ENTITLED

AN ACT

relating to a drilling permit road fee for county repair and maintenance of public roads.

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

SECTION 1. Subchapter F, Chapter 85, Natural Resources Code, is amended by adding Section 85.2025 to read as follows:

Sec. 85.2025. DRILLING PERMIT ROAD FEE. (a) With each application or materially amended application filed with the commission for a permit to drill, deepen, plug back, or reenter a well, the applicant shall submit to the commission a nonrefundable road fee of:

(1) \$75 if the total depth of the well is 2,000 feet or less;

(2) \$100 if the total depth of the well is greater than 2,000 feet but less than or equal to 4,000 feet;

(3) \$150 if the total depth of the well is greater than 4,000 feet but less than or equal to 9,000 feet; and

(4) \$200 if the total depth of the well is greater than 9,000 feet.

(b) An applicant shall submit an additional nonrefundable road fee of \$150 to the commission when requesting that the commission expedite the application for a permit to drill, deepen, plug back, or reenter a well.

(c) The commission shall remit road fees collected under

1 this section to the comptroller for deposit in the public and state  
2 roads maintenance and repair account under Section 251.201,  
3 Transportation Code.

4 SECTION 2. Chapter 251, Transportation Code, is amended by  
5 adding Subchapter F to read as follows:

6 SUBCHAPTER F. PUBLIC AND STATE ROADS MAINTENANCE AND REPAIR

7 ACCOUNT

8 Sec. 251.201. PUBLIC AND STATE ROADS MAINTENANCE AND REPAIR  
9 ACCOUNT. The public and state roads maintenance and repair account  
10 is an account in the general revenue fund. The account consists of  
11 drilling permit road fees imposed under Section 85.2025, Natural  
12 Resources Code.

13 Sec. 251.202. DISTRIBUTION OF REVENUE TO COUNTIES. (a) On  
14 a quarterly basis, the comptroller shall distribute money in the  
15 public and state roads maintenance and repair account to each  
16 county in an amount equal to the amount of road fees collected for  
17 permits to drill in that county.

18 (b) For permits to drill in more than one county, the  
19 comptroller shall divide the road fee between the counties evenly.

20 Sec. 251.203. USE OF REVENUE. (a) Money received by a  
21 county under Section 251.202 may be used by the county only to  
22 repair and maintain public roads, including by:

23 (1) contracting with the commission for the county to  
24 undertake improvements to the state highway system as authorized  
25 under Section 251.014; or

26 (2) reimbursing the department for maintenance or  
27 repairs under Section 251.205.

1       (b) A county shall use 75 percent of money received under  
2 Section 251.202 for the repair and maintenance of public roads that  
3 are part of the state highway system and 25 percent of the money for  
4 the repair and maintenance of public roads that are not part of the  
5 state highway system.

6       Sec. 251.204. RECORDS. A county shall maintain a record  
7 that accurately identifies the receipt and expenditure of all money  
8 received under Section 251.202.

9       Sec. 251.205. REIMBURSEMENT OF DEPARTMENT EXPENSES. A  
10 county shall reimburse the department on a quarterly basis for the  
11 department's repair and maintenance of the state highway system in  
12 the county if the department submits to the county a request for  
13 reimbursement and invoices for work performed.

14       Sec. 251.206. DEPOSIT OF REIMBURSEMENTS FOR REPAIRS AND  
15 MAINTENANCE OF THE STATE HIGHWAY SYSTEM. The department shall  
16 deposit reimbursements received from a county under Section 251.205  
17 in the state highway fund.

18       SECTION 3. Section 85.2025, Natural Resources Code, as  
19 added by this Act, applies only to an application for a permit  
20 received by the Railroad Commission of Texas on or after the  
21 effective date of this Act.

22       SECTION 4. This Act takes effect September 1, 2011.