

By: Burnam

H.B. No. 3212

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the imposition of a fee on oil and gas waste disposed of
3 by injection in a commercial injection well permitted by the
4 Railroad Commission of Texas.

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

6 SECTION 1. Subchapter C, Chapter 27, Water Code, is amended
7 by adding Section 27.037 to read as follows:

8 Sec. 27.037. OIL-FIELD CLEANUP REGULATORY FEE ON OIL AND
9 GAS WASTE DISPOSED OF IN COMMERCIAL INJECTION WELL. (a) In this
10 section, "commercial injection well" means an injection well the
11 business purpose of which includes providing to the public, for
12 compensation, disposal of oil and gas waste by injection.

13 (b) An oil-field cleanup regulatory fee is imposed on oil
14 and gas waste disposed of by injection in a commercial injection
15 well permitted by the railroad commission under this chapter in the
16 amount of one cent for each barrel of 42 standard gallons.

17 (c) The comptroller shall collect the fee. The comptroller
18 by rule shall prescribe the manner in which the fee is administered,
19 collected, and enforced.

20 (d) The comptroller shall deposit the proceeds from the fee,
21 including any penalties collected in connection with the fee, to
22 the credit of the oil-field cleanup fund as provided by Section
23 91.111, Natural Resources Code.

24 SECTION 2. Section 91.111(c), Natural Resources Code, is

1 amended to read as follows:

2 (c) The fund consists of:

3 (1) penalties imposed under Section 85.381 for
4 violation of a law, order, or rule relating to well plugging
5 requirements;

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

11 (3) private contributions, including contributions
12 made under Section 89.084;

13 (4) expenses collected under Section 89.083;

14 (5) fees imposed under Section 85.2021;

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

18 (7) proceeds collected under Sections 89.085 and
19 91.115;

20 (8) interest earned on the funds deposited in the
21 fund;

22 (9) civil penalties or costs recovered under Section
23 91.457 or 91.459;

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

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

27 (12) hazardous oil and gas waste generation fees

1 collected under Section 91.605;

2 (13) oil-field cleanup regulatory fees on oil
3 collected under Section 81.116;

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

6 (15) fees for a reissued certificate collected under
7 Section 91.707;

8 (16) fees collected under Section 91.1013;

9 (17) fees collected under Section 89.088;

10 (18) penalties collected under Section 81.0531;

11 (19) fees collected under Section 91.142;

12 (20) fees collected under Section 91.654;

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

14 (22) two-thirds of the fees collected under Section
15 81.0521;

16 (23) fees collected under Sections 89.024 and 89.026;

17 [~~and~~]

18 (24) legislative appropriations; and

19 (25) oil-field cleanup regulatory fees on oil and gas
20 waste disposed of by injection in a commercial injection well
21 collected under Section 27.037, Water Code.

22 SECTION 3. The comptroller shall adopt rules as necessary
23 to implement Section 27.037, Water Code, as added by this Act, not
24 later than December 1, 2011.

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