

By: Darby

H.B. No. 3418

Substitute the following for H.B. No. 3418:

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C.S.H.B. No. 3418

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to certain state fiscal matters related to natural  
3 resources or the environment.

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

5 ARTICLE 1. REDUCTION OF EXPENDITURES AND IMPOSITION OF CHARGES

6 GENERALLY

7 SECTION 1.01. This article applies to any state agency that  
8 receives an appropriation under Article VI of the General  
9 Appropriations Act.

10 SECTION 1.02. Notwithstanding any other statute of this  
11 state, each state agency to which this article applies is  
12 authorized to reduce or recover expenditures by:

13 (1) consolidating any reports or publications the  
14 agency is required to make and filing or delivering any of those  
15 reports or publications exclusively by electronic means;

16 (2) extending the effective period of any license,  
17 permit, or registration the agency grants or administers;

18 (3) entering into a contract with another governmental  
19 entity or with a private vendor to carry out any of the agency's  
20 duties;

21 (4) adopting additional eligibility requirements for  
22 persons who receive benefits under any law the agency administers  
23 to ensure that those benefits are received by the most deserving  
24 persons consistent with the purposes for which the benefits are

1 provided;

2 (5) providing that any communication between the  
3 agency and another person and any document required to be delivered  
4 to or by the agency, including any application, notice, billing  
5 statement, receipt, or certificate, may be made or delivered by  
6 e-mail or through the Internet; and

7 (6) adopting and collecting fees or charges to cover  
8 any costs the agency incurs in performing its lawful functions.

9 ARTICLE 2. FISCAL MATTERS CONCERNING ANIMAL HEALTH REGULATION

10 SECTION 2.01. Section 161.060, Agriculture Code, is amended  
11 to read as follows:

12 Sec. 161.060. AUTHORITY TO SET AND COLLECT ~~[INSPECTION]~~  
13 FEES. The commission by rule may set and collect a fee for any  
14 service provided ~~[charge a fee, as provided by commission rule, for~~  
15 ~~an inspection made]~~ by the commission, including:

- 16 (1) the inspection of animals or facilities;  
17 (2) the testing of animals for disease;  
18 (3) obtaining samples from animals for disease  
19 testing;  
20 (4) disease eradication and treatment efforts;  
21 (5) services related to the transport of livestock;  
22 (6) control and eradication of ticks and other pests;  
23 and  
24 (7) any other service for which the commission incurs  
25 a cost.

26 ARTICLE 3. FISCAL MATTERS REGARDING PETROLEUM INDUSTRY REGULATION

27 SECTION 3.01. Section 26.3574(b), Water Code, is amended to

1 read as follows:

2 (b) A fee is imposed on the delivery of a petroleum product  
3 on withdrawal from bulk of that product as provided by this  
4 subsection. Each operator of a bulk facility on withdrawal from  
5 bulk of a petroleum product shall collect from the person who orders  
6 the withdrawal a fee in an amount determined as follows:

7 (1) \$3.125 [~~\$3.75~~] for each delivery into a cargo tank  
8 having a capacity of less than 2,500 gallons for the state fiscal  
9 year beginning September 1, 2011 [~~2007~~], through the state fiscal  
10 year ending August 31, 2015 [~~2011~~];

11 (2) \$6.25 [~~\$7.50~~] for each delivery into a cargo tank  
12 having a capacity of 2,500 gallons or more but less than 5,000  
13 gallons for the state fiscal year beginning September 1, 2011  
14 [~~2007~~], through the state fiscal year ending August 31, 2015  
15 [~~2011~~];

16 (3) \$9.37 [~~\$11.75~~] for each delivery into a cargo tank  
17 having a capacity of 5,000 gallons or more but less than 8,000  
18 gallons for the state fiscal year beginning September 1, 2011  
19 [~~2007~~], through the state fiscal year ending August 31, 2015  
20 [~~2011~~];

21 (4) \$12.50 [~~\$15.00~~] for each delivery into a cargo  
22 tank having a capacity of 8,000 gallons or more but less than 10,000  
23 gallons for the state fiscal year beginning September 1, 2011  
24 [~~2007~~], through the state fiscal year ending August 31, 2015  
25 [~~2011~~]; and

26 (5) \$6.25 [~~\$7.50~~] for each increment of 5,000 gallons  
27 or any part thereof delivered into a cargo tank having a capacity of

1 10,000 gallons or more for the state fiscal year beginning  
2 September 1, 2011 [~~2007~~], through the state fiscal year ending  
3 August 31, 2015 [~~2011~~].

4 ARTICLE 4. COASTAL EROSION

5 SECTION 4.01. Section 33.608, Natural Resources Code, is  
6 amended to read as follows:

7 Sec. 33.608. REPORT TO LEGISLATURE. (a) Each biennium, the  
8 commissioner shall submit to the legislature a report listing:

9 (1) each critical erosion area;

10 (2) each proposed erosion response study or project;

11 (3) an estimate of the cost of each proposed study or  
12 project described by Subdivision (2);

13 (4) each coastal erosion response study or project  
14 funded under this subchapter during the preceding biennium;

15 (5) the economic and natural resource benefits from  
16 each coastal erosion response study or project described by  
17 Subdivision (4);

18 (6) the financial status of the account; and

19 (7) an estimate of the cost of implementing this  
20 subchapter during the succeeding biennium.

21 (b) The report must include a plan for coastal erosion  
22 response studies and projects that may be funded, wholly or partly,  
23 from money in the account and may be undertaken during the next 10  
24 or more years.

25 ARTICLE 5. TEXAS FARM AND RANCH LANDS CONSERVATION PROGRAM

26 SECTION 5.01. Section 183.059(b), Natural Resources Code,  
27 is amended to read as follows:

1 (b) To receive a grant from the fund under this subchapter,  
2 an applicant who is qualified to be an easement holder under this  
3 subchapter must submit an application to the council. The  
4 application must:

5 (1) set out the parties' clear conservation goals  
6 consistent with the program;

7 (2) include a site-specific estimate-of-value  
8 appraisal by a licensed appraiser qualified to determine the market  
9 value of the easement; and

10 (3) [~~demonstrate that the applicant is able to match~~  
11 ~~50 percent of the amount of the grant being sought, considering that~~  
12 ~~the council may choose to allow a donation of part of the appraised~~  
13 ~~value of the easement to be considered as in-kind matching funds,~~  
14 ~~and~~

15 [~~4~~] include a memorandum of understanding signed by  
16 the landowner and the applicant indicating intent to sell an  
17 agricultural conservation easement and containing the terms of the  
18 contract for the sale of the easement.

19 ARTICLE 6. EFFECTIVE DATE

20 SECTION 6.01. This Act takes effect September 1, 2011.