

AN ACT

relating to the composition and use of money in the oil and gas regulation and cleanup fund.

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

SECTION 1. Sections 81.067(b) and (c), Natural Resources Code, are amended to read as follows:

(b) The commission shall certify to the comptroller the date on which the balance in the fund equals or exceeds \$30 [~~\$20~~] million. The oil-field cleanup regulatory fees on oil and gas shall not be collected or required to be paid on or after the first day of the second month following the certification, except that the comptroller shall resume collecting the fees on receipt of a commission certification that the fund has fallen below \$25 [~~\$10~~] million. The comptroller shall continue collecting the fees until collections are again suspended in the manner provided by this subsection.

(c) The fund consists of:

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

(2) private contributions, including contributions made under Section 89.084;

- 1 (3) expenses collected under Section 89.083;
- 2 (4) fees imposed under Section 85.2021;
- 3 (5) costs recovered under Section 91.457 or 91.459;
- 4 (6) proceeds collected under Sections 89.085 and
5 91.115;
- 6 (7) interest earned on the funds deposited in the
7 fund;
- 8 (8) oil and gas waste hauler permit application fees
9 collected under Section 29.015, Water Code;
- 10 (9) costs recovered under Section 91.113(f);
- 11 (10) hazardous oil and gas waste generation fees
12 collected under Section 91.605;
- 13 (11) oil-field cleanup regulatory fees on oil
14 collected under Section 81.116;
- 15 (12) oil-field cleanup regulatory fees on gas
16 collected under Section 81.117;
- 17 (13) fees for a reissued certificate collected under
18 Section 91.707;
- 19 (14) fees collected under Section 91.1013;
- 20 (15) fees collected under Section 89.088;
- 21 (16) fees collected under Section 91.142;
- 22 (17) fees collected under Section 91.654;
- 23 (18) costs recovered under Sections 91.656 and 91.657;
- 24 (19) two-thirds of the fees collected under Section
25 81.0521;
- 26 (20) fees collected under Sections 89.024 and 89.026;
- 27 (21) legislative appropriations; [~~and~~]

1 (22) any surcharges collected under Section 81.070;
2 and
3 (23) fees collected under Section 91.0115.

4 SECTION 2. Section 81.068, Natural Resources Code, is
5 amended to read as follows:

6 Sec. 81.068. PURPOSE OF OIL AND GAS REGULATION AND CLEANUP
7 FUND. Money in the oil and gas regulation and cleanup fund may be
8 used by the commission or its employees or agents for any purpose
9 related to the regulation of oil and gas development, including oil
10 and gas monitoring and inspections, oil and gas remediation, oil
11 and gas well plugging, public information and services related to
12 those activities, the study and evaluation of electronic access to
13 geologic data and surface casing depths necessary to protect usable
14 groundwater in this state, and administrative costs and state
15 benefits for personnel involved in those activities.

16 SECTION 3. Section 91.0115, Natural Resources Code, is
17 amended by amending Subsection (c) and adding Subsection (d) to
18 read as follows:

19 (c) The commission shall charge a fee not to exceed \$75, in
20 addition to the fee required by Subsection (b), for processing a
21 request to expedite a letter of determination. [~~Money collected~~
22 ~~under this subsection may be used to study and evaluate electronic~~
23 ~~access to geologic data and surface casing depths under Section~~
24 ~~91.020.~~]

25 (d) The fees collected under this section shall be deposited
26 in the oil and gas regulation and cleanup fund.

27 SECTION 4. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 3309 was passed by the House on April 26, 2013, by the following vote: Yeas 135, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3309 on May 23, 2013, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3309 was passed by the Senate, with amendments, on May 21, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor