

AN ACT

relating to storage of flammable liquids at retail service stations in unincorporated areas and certain municipalities.

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

SECTION 1. Section 753.004, Health and Safety Code, is amended by amending Subsections (d) and (e) and adding Subsection (d-1) to read as follows:

(d) Except as provided by Subsection (d-1), gasoline ~~Gasoline~~, diesel fuel, or kerosene may be stored in an aboveground storage tank ~~[with a capacity of not more than 4,000 gallons]~~ at a retail service station located in an unincorporated area or in a municipality with a population of less than 5,000.

(d-1) A commissioners court of a county with a population of 3.3 million or more may by order limit the maximum volume of an aboveground storage tank in an unincorporated area of the county in accordance with the county fire code.

(e) Under Subsection (d), a retail service station may have a tank ~~[not exceeding the specified capacity]~~ for each separate grade of gasoline, diesel fuel, or kerosene, but may not have more than one tank ~~[of that capacity]~~ for the same grade.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

H.B. No. 239

1 Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 239 was passed by the House on May 5, 2015, by the following vote: Yeas 142, Nays 3, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 239 was passed by the Senate on May 20, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor