

BILL ANALYSIS

Senate Research Center
85R22706 SLB-F

H.B. 2771
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Agriculture, Water & Rural Affairs
5/18/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas On-Site Wastewater Treatment Research Council (council) was created in 1987. One role of the council was to oversee the awarding of grant funding for applied research and demonstration projects regarding on-site wastewater treatment (septic tank) technology. Funding for the grants came from a \$10 on-site waste water permit application fee that municipalities and counties are required to collect and forward to the Texas Commission on Environmental Quality (TCEQ).

In 2011, the council underwent sunset review and was abolished, and its responsibilities were absorbed by TCEQ. Since the abolishment of the council, TCEQ has continued to collect the \$10 permit fee but has not distributed or awarded any grant funds.

H.B. 2771 removes the \$10 fee requirement from law, as this fee is no longer used toward its clearly stipulated statutory purpose. Further, on-site wastewater treatment technology has advanced significantly since this fee was established, obviating the need for the type of research grants funded via this program.

H.B. 2771 amends current law relating to the elimination of a fee collected for an on-site wastewater treatment permit application.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Repealer: Section 367.010 (Fees), Health and Safety Code.

SECTION 2. Amends Section 367.007(a), Health and Safety Code, as follows:

(a) Authorizes the Texas Commission on Environmental Quality (TCEQ) to accept gifts, grants, and donations to be deposited to the credit of the water resource management account, rather than requiring TCEQ to accept grants and donations from other sources to supplement the fees collected under Section 367.010 and requiring grants and donations to be deposited to the credit of the water resource management account. Authorizes grants to be disbursed as TCEQ directs and in accordance with Section 367.008 (Award of Competitive Grants). Makes a nonsubstantive change.

SECTION 3. Amends Section 5.701(p), Water Code, as follows:

(p) Deletes existing text authorizing fees collected for deposit to the water resource management account under certain statutes, notwithstanding any other law, to be appropriated and used to protect water resources in this state, including assessment of water quality, reasonably related to the activities of any of the persons required to pay a fee under Section 367.010, Health and Safety Code.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2017.