

By: Darby

H.B. No. 2715

A BILL TO BE ENTITLED

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. Section 81.0531(e), Natural Resources Code, is amended to read as follows:

(e) A penalty collected under this section shall be deposited to the credit of the oil and gas regulation and ~~oil-field~~ cleanup fund.

SECTION 2. Section 81.067(c), Natural Resources Code, is amended to conform to the repeal of Section 81.112, Natural Resources Code, by Chapter 470 (S.B. 757), Acts of the 84th Legislature, Regular Session, 2015, and is further amended to read as follows:

(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;

(3) expenses collected under Section 89.083;

(4) fees imposed under Section 85.2021;

- 1 (5) costs recovered under Section 91.457 or 91.459;
- 2 (6) proceeds collected under Sections 89.085 and
- 3 91.115;
- 4 (7) interest earned on the funds deposited in the
- 5 fund;
- 6 (8) oil and gas waste hauler permit application fees
- 7 collected under Section 29.015, Water Code;
- 8 (9) costs recovered under Section 91.113(f);
- 9 (10) hazardous oil and gas waste generation fees
- 10 collected under Section 91.605;
- 11 (11) oil-field cleanup regulatory fees on oil
- 12 collected under Section 81.116;
- 13 (12) oil-field cleanup regulatory fees on gas
- 14 collected under Section 81.117;
- 15 (13) fees for a reissued certificate collected under
- 16 Section 91.707;
- 17 (14) fees collected under Section 91.1013;
- 18 (15) fees collected under Section 89.088;
- 19 (16) fees collected under Section 91.142;
- 20 (17) fees collected under Section 91.654;
- 21 (18) costs recovered under Sections 91.656 and 91.657;
- 22 (19) fees collected under Section 81.0521;
- 23 (20) fees collected under Sections 89.024 and 89.026;
- 24 (21) legislative appropriations;
- 25 (22) any surcharges collected under Section 81.070;
- 26 (23) fees collected under Section 91.0115;
- 27 (24) ~~[money deposited to the credit of the fund under~~

1 ~~Section 81.112,~~
2 ~~[(25)]~~ fees collected under Subchapter E, Chapter 121,
3 Utilities Code; ~~and~~
4 (25) ~~[(26)]~~ fees collected under Section 27.0321,
5 Water Code;
6 (26) penalties collected under Section 81.0531;
7 (27) taxes collected under Chapter 122, Utilities
8 Code; and
9 (28) penalties and interest collected under
10 Subchapter E, Chapter 122, Utilities Code.

11 SECTION 3. Effective September 1, 2029, Section 81.067(c),
12 Natural Resources Code, is amended to conform to the repeal of
13 Section 81.112, Natural Resources Code, by Chapter 470 (S.B. 757),
14 Acts of the 84th Legislature, Regular Session, 2015, and is further
15 amended to read as follows:

- 16 (c) The fund consists of:
- 17 (1) proceeds from bonds and other financial security
18 required by this chapter and benefits under well-specific plugging
19 insurance policies described by Section 91.104(c) that are paid to
20 the state as contingent beneficiary of the policies, subject to the
21 refund provisions of Section 91.1091, if applicable;
 - 22 (2) private contributions, including contributions
23 made under Section 89.084;
 - 24 (3) expenses collected under Section 89.083;
 - 25 (4) fees imposed under Section 85.2021;
 - 26 (5) costs recovered under Section 91.457 or 91.459;
 - 27 (6) proceeds collected under Sections 89.085 and

- 1 91.115;
- 2 (7) interest earned on the funds deposited in the
3 fund;
- 4 (8) oil and gas waste hauler permit application fees
5 collected under Section 29.015, Water Code;
- 6 (9) costs recovered under Section 91.113(f);
- 7 (10) hazardous oil and gas waste generation fees
8 collected under Section 91.605;
- 9 (11) oil-field cleanup regulatory fees on oil
10 collected under Section 81.116;
- 11 (12) oil-field cleanup regulatory fees on gas
12 collected under Section 81.117;
- 13 (13) fees for a reissued certificate collected under
14 Section 91.707;
- 15 (14) fees collected under Section 91.1013;
- 16 (15) fees collected under Section 89.088;
- 17 (16) fees collected under Section 91.142;
- 18 (17) fees collected under Section 91.654;
- 19 (18) costs recovered under Sections 91.656 and 91.657;
- 20 (19) fees collected under Section 81.0521;
- 21 (20) fees collected under Sections 89.024 and 89.026;
- 22 (21) legislative appropriations;
- 23 (22) any surcharges collected under Section 81.070;
- 24 (23) fees collected under Section 91.0115;
- 25 (24) ~~[money deposited to the credit of the fund under~~
26 ~~Section 81.112,~~
- 27 [~~25~~] fees collected under Subchapter E, Chapter 121,

1 Utilities Code; ~~and~~

2 (25) ~~[(26)]~~ fees collected under Section [27.0321](#),
3 Water Code; and

4 (26) penalties collected under Section [81.0531](#).

5 SECTION 4. Section [81.068](#), Natural Resources Code, is
6 amended to read as follows:

7 Sec. 81.068. PURPOSES OF OIL AND GAS REGULATION AND CLEANUP
8 FUND. Money in the oil and gas regulation and cleanup fund may be
9 used by the commission or its employees or agents for any purpose
10 related to the regulation of oil and gas development, including oil
11 and gas monitoring and inspections, oil and gas remediation, and
12 oil and gas well plugging, the study and evaluation of electronic
13 access to geologic data and surface casing depths necessary to
14 protect usable groundwater in this state, alternative fuels
15 regulatory programs related to liquefied petroleum gas, compressed
16 natural gas, and liquefied natural gas safety ~~[under Section~~
17 ~~[81.0681](#)]~~, the administration of pipeline safety and regulatory
18 programs, public information and services related to those
19 activities, the regulation of the rates and services of gas
20 utilities, the administration of surface mining regulatory
21 programs, and administrative costs and state benefits for personnel
22 involved in those activities.

23 SECTION 5. Subchapter C, Chapter [122](#), Utilities Code, is
24 amended by adding Section 122.1035 to read as follows:

25 Sec. 122.1035. DEPOSIT OF TAX. A tax collected under this
26 chapter shall be deposited to the credit of the oil and gas
27 regulation and cleanup fund. This section expires September 1,

1 2029.

2 SECTION 6. Subchapter E, Chapter 122, Utilities Code, is
3 amended by adding Section 122.206 to read as follows:

4 Sec. 122.206. DEPOSIT OF PENALTIES AND INTEREST. Penalties
5 and interest collected under this subchapter shall be deposited to
6 the credit of the oil and gas regulation and cleanup fund. This
7 section expires September 1, 2029.

8 SECTION 7. To the extent of any conflict, this Act prevails
9 over another Act of the 85th Legislature, Regular Session, 2017,
10 relating to nonsubstantive additions to and corrections in enacted
11 codes.

12 SECTION 8. Except as otherwise provided by this Act, this
13 Act takes effect September 1, 2017.