

By: Springer

S.B. No. 471

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of a fee by the Texas Commission on Environmental Quality for the investigation of certain complaints.

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

SECTION 1. Subchapter E, Chapter 5, Water Code, is amended by adding Section 5.1774 to read as follows:

Sec. 5.1774. FEES FOR MULTIPLE COMPLAINTS. (a) The commission shall charge a person who files a complaint a fee before the commission investigates the complaint if, in the same calendar year in which the complaint is filed, the person has filed at least three complaints with the commission for which neither the commission nor a local enforcement official took enforcement action before closing the file on the complaint.

(b) The commission by rule shall establish for each type of complaint a fee amount to be charged under Subsection (a) that the commission estimates is less than or equal to the cost to the commission of investigating most complaints of that type.

(c) The commission may waive the fee required by Subsection (a) for good cause.

SECTION 2. (a) The Texas Commission on Environmental Quality shall adopt the rules required by Section 5.1774, Water Code, as added by this Act, as soon as practicable after the effective date of this Act.

(b) Section 5.1774, Water Code, as added by this Act,

1 applies only to a complaint filed on or after the effective date of  
2 the rules adopted under that section. The Texas Commission on  
3 Environmental Quality may not consider a complaint filed before the  
4 effective date of the rules for the purposes of determining whether  
5 to charge a fee under Section 5.1774(a), Water Code, as added by  
6 this Act.

7 SECTION 3. This Act takes effect September 1, 2023.