

BILL ANALYSIS

Senate Research Center
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S.B. 1027
By: Lindsay
Natural Resources
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As Filed

DIGEST AND PURPOSE

Water fees are currently collected by the Texas Natural Resource Conservation Commission (TNRCC) solely from water districts, water supply corporations, investor-owned utilities, and other similar entities. The revenues from all of these water-related fees are deposited in the Water Resource Management Account. As proposed, S.B. 1027 provides TNRCC with the ability to assess fees more equitably and maximize the effective use of fee revenues by expanding the use of select water fees deposited to the Water Resource Management Account.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Natural Resource Conservation Commission in SECTION 1, Section 5.235, Water Code, SECTION 2, Section 341.041, Health and Safety Code, and SECTION 3, Section 366.058, Health and Safety Code, of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5.235, Water Code, by amending Subsection (e) and adding Subsections (p) and (q), as follows:

(e) Authorizes the Texas Natural Resource Conservation Commission (commission) by rule to set the application fee in an amount to recover the costs of reviewing and processing certain applications, plus the cost of required notice and any other costs incurred for protection of water resources of this state, including any program reasonably related to the activities of the fee payers under the statutes listed in Subsection (p).

(p) Authorizes, notwithstanding any restrictions otherwise imposed by law, any fees collected for certain stated purposes to be appropriated and used for certain stated purposes.

(g) Authorizes, notwithstanding any restrictions otherwise imposed by law, any fees collected for certain stated purposes under certain statutes to be appropriated and used for certain purposes.

SECTION 2. Amends Section 341.041(a), Health and Safety Code, to delete language regarding the commission's authority, by rule, to charge fees to recover certain costs. Requires fees established by the commission to cover the reasonable costs of administering the programs and services in this subchapter or the federal Safe Drinking Water Act (42 U.S.C. Section 300f et seq.) and any other costs incurred for protection of water resources of this state, including programs reasonably related to the activities of the class of fee payers under Subsection 5.235(q) of this Code.

SECTION 3. Amends Section 366.058(a), Health and Safety Code, to require the commission by rule to establish and collect a reasonable permit fee to cover any other costs incurred for protection of water resources of this state reasonably related to the activities of the fee payers under this section.

SECTION 4. Amends Section 366.059(b), Health and Safety Code, to delete text regarding

administrative costs not covered by permit fees collected.

SECTION 5. Effective date: September 1, 2001.