

## CHAPTER 417

S.B. No. 434

## AN ACT

relating to fees for filing plans relating to protection of the Edwards Aquifer.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 26, Water Code, as amended, is amended by adding Section 26.0461 to read as follows:

*Sec. 26.0461. FEES FOR EDWARDS AQUIFER PLANS. (a) The commission may impose fees for processing plans or amendments to plans that are subject to review and approval under the commission's rules for the protection of the Edwards Aquifer and for inspecting the construction of projects covered by those plans.*

*(b) The plans for which fees may be imposed are:*

- (1) water pollution abatement plans;*
- (2) plans for sewage collection systems; and*
- (3) plans for hydrocarbon storage facilities or hazardous substance storage facilities.*

*(c) The commission by rule shall adopt a fee schedule for fees that it may impose under this section.*

*(d) A fee imposed under this section may not be less than \$100 or more than \$2,000.*

*(e) A fee charged under this section must be based on the following criteria:*

- (1) if a pollution abatement plan, the area or acreage covered by the plan;*
- (2) if a sewage collection systems plan, the number of linear feet of pipe or line; and*
- (3) if a hydrocarbon storage facility or hazardous substance storage facility plan, the number of tanks.*

*(f) The executive director shall charge and collect a fee imposed under this section and shall record the time at which the fee is due and render an account to the person charged with the fee.*

*(g) A fee imposed under this section is a separate charge in addition to any other fee that may be provided by law or rules of the commission.*

*(h) A fee collected under this section shall be deposited in the State Treasury to the credit of the waste treatment facility inspection fund.*

SECTION 2. Subsection (c), Section 26.0291, Water Code, as amended, is amended to read as follows:

*(c) The fees collected under this section shall be deposited in a special fund in the state treasury to be known as the waste treatment facility inspection fund. Money in the fund shall be used to supplement any other funds available for paying expenses of the commission in inspecting waste treatment facilities and to pay for processing plans or amendments to plans and inspecting the construction of projects under those plans pursuant to Section 26.0461 of this code and rules of the commission adopted under Sections 26.046 and 26.0461 of this code.*

SECTION 3. This Act takes effect September 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 26, 1987, by the following vote: Yeas 30, Nays 0. Passed the House on May 27, 1987, by a non-record vote.

Approved June 17, 1987.

Effective Sept. 1, 1987.