

## **BILL ANALYSIS**

Senate Research Center  
77R8644 T

S.B. 1025  
By: Lindsay  
Natural Resources  
3/21/2001  
As Filed

### **DIGEST AND PURPOSE**

Under current statutory authority, the Texas Natural Resource Conservation Commission (TNRCC) collects separate fees for wastewater treatment inspection and Water Quality/Clean Rivers. Revenue from the current individual fee can only be used for specific purposes. As proposed, S.B. 1025 amends the Texas Water Code to consolidate the Waste Treatment Inspection fee and the Water Quality/Clean Rivers fee into a single Water Quality fee and expand the use of the revenues from that fee.

### **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. Amends Section 26.0291, Water Code (effective upon delegation of NPDES permit authority), amending Subsections (a)-(b), to provide that an annual water quality fee is imposed on each wastewater discharge permit holder for each wastewater discharge permit held, and each user of water in proportion to the user's water right, through permit or contract, as reflected in the commission's records. Requires irrigation water rights to not be subject to this fee. Provides that the fee is to supplement any other funds available to pay expenses of the Texas Natural Resource Conservation Commission (commission) related to certain criteria, including the water quality management programs under Section 26.0135 of this Code, any expenses to administer the national pollutant discharge elimination system (NPDES) program, and any other program reasonably related to the activities of the fee payers under this section. Provides that the fee for each year is imposed on each permit or water right in effect during any part of the year. Authorizes the commission to establish reduced fees for inactive permits. Prohibits the amount of the fee from exceeding \$75,000, rather than \$25,000, for each permit or contract. Authorizes the commission, in determining the amount of a fee under this section, to consider certain factors. Deletes text regarding waste water inspection. Deletes text regarding "permittee." Deletes text regarding federal government delegation. Deletes text regarding "waste discharge." Deletes text regarding the commission adopting any rule.

SECTION 2. Amends Section 26.0135, Water Code, by amending Subsection (h) and repealing Subsection (j), to delete text regarding the commission apportioning, assessing, and recovering reasonable costs. Deletes text regarding the rules ensuring that water users and wastewater discharges do not pay excessive amounts. Deletes text regarding recovering the costs of water quality management programs.

SECTION 3. Effective date: September 1, 2001.

SECTION 4. Makes application of this Act prospective.