

BILL ANALYSIS

C.S.H.B. 2771
By: Phelan
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that since funds from on-site wastewater treatment permit application processing fees are not required to be used in a certain manner for specified purposes, the fee should be abolished. C.S.H.B. 2771 seeks to provide for such abolishment.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2771 repeals a Health and Safety Code provision that provides for a \$10 on-site wastewater treatment permit application processing fee.

C.S.H.B. 2771 amends the Health and Safety Code to expand the types of monetary items the Texas Commission on Environmental Quality (TCEQ) may accept under on-site wastewater treatment research provisions to include gifts. The bill removes the authorization for donations accepted under those provisions to be disbursed as TCEQ directs and in accordance with provisions relating to the awarding of competitive grants for on-site wastewater treatment research.

C.S.H.B. 2771 amends the Water Code to make a conforming change.

C.S.H.B. 2771 repeals Section 367.010, Health and Safety Code.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2771 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 367.010, Health and Safety Code, is repealed.

SECTION 2. Section 367.007(a), Health and Safety Code, is amended to read as follows:

(a) The commission may accept grants and donations to ~~[from other sources to supplement the fees collected under Section 367.010. Grants and donations shall]~~ be deposited to the credit of the water resource management account. Gifts and grants ~~[and]~~ may be disbursed as the commission directs and in accordance with Section 367.008.

SECTION 3. Section 5.701(p), Water Code, is amended.

SECTION 4. The changes in law made by this Act apply only to an application for an on-site wastewater treatment permit received by the Texas Commission on Environmental Quality on or after the effective date of this Act. An application received before the effective date of this Act is governed by the law in effect on the date the application was received, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Section 367.007(a), Health and Safety Code, is amended to read as follows:

(a) The commission may accept gifts, grants, and donations to ~~[from other sources to supplement the fees collected under Section 367.010. Grants and donations shall]~~ be deposited to the credit of the water resource management account. Grants ~~[and]~~ may be disbursed as the commission directs and in accordance with Section 367.008.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.