CHAPTER 1158

S.B. No. 321

AN ACT

relating to the powers and duties of the Montgomery County Water Control and Improvement District No. 2.

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

SECTION 1. Subchapter C, Chapter 9041, Special District Local Laws Code, is amended by adding Section 9041.105 to read as follows:

Sec. 9041.105. POWERS AND DUTIES RELATED TO FILL PROJECTS. (a) The district has the powers and duties provided by the general law of this state, including Chapters 49 and 57, Water Code, applicable to levee improvement districts created under Section 59, Article XVI, Texas Constitution.

(b) The district may:

(1) reclaim land in the district; and

(2) construct works, facilities, and improvements necessary to accomplish that purpose.

(c) The district may finance and contract for the construction of a fill project or for the acquisition of land for a fill project in the district, including drainage and reclamation.

(d) For the district's exercise of a power of or performance of a duty of a levee improvement district as provided by Subsection (c), the Texas Commission on Environmental Quality shall consider the district to be a levee improvement district.

(e) For any fill or levee project located in the district and in the watershed of the San Jacinto River Basin, the district shall obtain approval for the plan from any state or federal agency with jurisdiction to permit a project of the same type and from any municipality with a right to divert state water from a point located between the district and Lake Houston.

SECTION 2. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 25, 2013: Yeas 30, Nays 0; passed the House, with amendment, on May 22, 2013: Yeas 148, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.
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SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 25, 2013: Yeas 30, Nays 0; passed the House, with amendment, on May 22, 2013: Yeas 148, Nays 0, two present not voting.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1159

S.B. No. 347

AN ACT
relating to funding for the operations of the Texas Low-Level Radioactive Waste Disposal Compact Commission and to the disposal of certain low-level radioactive waste.

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

SECTION 1. Subsection (d), Section 401.052, Health and Safety Code, as amended by Chapters 580 (H.B. 1678) and 1067 (H.B. 1567), Acts of the 78th Legislature, Regular Session, 2003, is reenacted and amended to read as follows:

(d) Fees assessed under this section:

(1) may provide additional revenue to support the activities of the Texas Low-Level Radioactive Waste Disposal Compact Commission;

(2) may not exceed $10 per cubic foot of shipped low-level radioactive waste;

(3) shall be collected by the department and deposited to the credit of the perpetual care account;

(4) shall be used by the department for emergency planning for and response to transportation accidents involving low-level radioactive waste, including first responder training in counties through which transportation routes are designated in accordance with Subsection (a); and

(5) may not be collected on waste disposed of at a federal waste disposal facility shall be suspended when the amount of fees collected reaches $500,000, except that if the balance of fees collected is reduced to $350,000 or less, the assessments shall be reinstated to bring the balance of fees collected to $500,000.

SECTION 2. Subsection (a), Section 401.109, Health and Safety Code, is amended to read as follows:

(a) The department or commission may require a holder of a license issued by the agency to provide security acceptable to the agency to assure performance of the license holder’s obligations under this chapter. The department [or commission] shall deposit security provided to the department under this section to the credit of the perpetual care account. The department [or commission] by rule shall provide that any evidence of security must be made payable to the credit of the perpetual care account. The commission shall deposit security provided to the commission under this section to the credit of the environmental radiation and perpetual care account. The commission shall provide that security must be made payable to the credit of the environmental radiation and perpetual care account.

SECTION 3. Section 401.152, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The department [agency] shall use the security provided by the license holder to pay the costs of actions that are taken or that are to be taken under this section. The department [agency] shall send to the comptroller a copy of its order together with necessary written requests authorizing the comptroller to: