

BILL ANALYSIS

Senate Research Center

S.B. 347
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 347 is intended to streamline the funding mechanism for the Texas Low-Level Radioactive Waste Disposal Compact Commission (compact commission). Under this legislation, on the first day of the fiscal year, the comptroller of public accounts (comptroller) will transfer the amount appropriated to the compact commission from the low-level radioactive waste fund (Fund 88) to the compact commission account (Fund 5151). S.B. 1605, 82nd Legislature, Regular Session, 2011, established the compact commission as an independent entity from the Texas Commission on Environmental Quality, and in doing so, set up Fund 5151 to support the operations of the compact commission. Currently, Fund 5151 is populated by disposal fees, over which the compact commission has no control. By fully funding the compact commission at the beginning of the fiscal year, the compact commission can focus on its statutory role, regulating import and export of low-level radioactive waste to and from the Texas-Vermont compact disposal facility in Andrews, Texas. S.B. 347 also directs the comptroller to move any unencumbered funds back to Fund 88 at the end of each fiscal year, thus not allowing for an accumulation of funds.

As proposed, S.B. 347 amends current law relating to funding for the operations of the Texas Low-Level Radioactive Waste Disposal Compact Commission.

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 401.251, Health and Safety Code, by amending Subsections (b) and (c) and adding Subsection (b-1), as follows:

(b) Requires that the fee required to be deposited by the Low-Level Radioactive Waste Disposal Compact Commission (compact commission) be assessed for party state compact waste and nonparty compact waste.

(b-1) Requires the comptroller of public accounts (comptroller), on the first day of each state fiscal year, to transfer from the low-level radioactive waste fund to the compact commission account an amount equal to the amount appropriated for that state fiscal year. Requires the comptroller, on September 30 of each fiscal year, to transfer the unexpended and unencumbered money from the previous fiscal year in the compact commission account to the low-level radioactive waste fund.

(c) Authorizes money in the compact commission account to be used, rather than appropriated, only to support the operations of the compact commission.

SECTION 2. Effective date: September 1, 2013.