

**House Bill 7**  
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SECTION 1. Article 102.018, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) On the conviction of an offense relating to the operating of a motor vehicle while intoxicated, as defined by Section 49.09(c)(1)(A) or (B), Penal Code, the court shall impose a cost of \$10 on a defendant. A cost imposed under this subsection is in addition to a cost imposed under Subsection (a), (b), or (c). Each cost collected under this subsection shall be deposited in the account to the credit of the office of the governor as provided by Section 401.106, Government Code, for the prevention of driving while intoxicated.

SECTION 2. Subchapter B, Chapter 102, Government Code, is amended by adding Section 102.0215 to read as follows:

Sec. 102.0215. ADDITIONAL COURT COSTS: CODE OF CRIMINAL PROCEDURE. A defendant who is convicted of an offense relating to the operating of a motor vehicle while intoxicated shall pay a cost on conviction, in addition to all other costs, to help fund the prevention of driving while intoxicated under Section 401.106, Government Code (Art. 102.018(e), Code of Criminal Procedure) . . . \$10.

SECTION 3. Chapter 322, Government Code, is amended by adding Section 322.024 to read as follows:

Sec. 322.024. REDUCTION OF RELIANCE ON AVAILABLE DEDICATED REVENUE FOR BUDGET CERTIFICATION. (a) In this section, "available dedicated revenue" means revenue that Section 403.095 makes available for certification under Section 403.121.

(b) The board shall:

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**No equivalent provision.**

**No equivalent provision.**

SECTION 1. Chapter 322, Government Code, is amended by adding Section 322.024 to read as follows:

Sec. 322.024. REDUCTION OF RELIANCE ON AVAILABLE DEDICATED REVENUE FOR BUDGET CERTIFICATION. (a) In this section, "available dedicated revenue" means revenue that Section 403.095 makes available for certification under Section 403.121.

(b) The board shall:

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- (1) develop and implement a process to review:  
(A) new legislative enactments that create dedicated revenue;  
and  
(B) the appropriation and accumulation of dedicated revenue and available dedicated revenue;  
(2) develop and implement tools to evaluate the use of available dedicated revenue for state government financing and budgeting; and  
(3) develop specific and detailed recommendations on actions the legislature may reasonably take to reduce state government's reliance on available dedicated revenue for the purposes of certification under Section 403.121 as authorized by Section 403.095.  
(c) The board shall incorporate into the board's budget recommendations appropriate measures to reduce state government's reliance on available dedicated revenue for the purposes of certification under Section 403.121 as authorized by Section 403.095 and shall include with the budget recommendations plans for further reducing state government's reliance on available dedicated revenue for those purposes for the succeeding six years.  
(d) For the purpose of reduction of reliance on available dedicated revenue for budget certification, the board shall not set the rate of growth of appropriation as required by Section 316.001 to exceed the lesser of:  
(1) the revenue estimate required by Section 403.121;  
(2) the estimated rate of growth of the state's economy pursuant to Section 316.002; or  
(3) a rate equal to the sum of:  
(A) the estimated biennial rate of growth of the state's population; and  
(B) the estimated biennial rate of monetary inflation in the

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- (1) develop and implement a process to review:  
(A) new legislative enactments that create dedicated revenue;  
and  
(B) the appropriation and accumulation of dedicated revenue and available dedicated revenue;  
(2) develop and implement tools to evaluate the use of available dedicated revenue for state government financing and budgeting; and  
(3) develop specific and detailed recommendations on actions the legislature may reasonably take to reduce state government's reliance on available dedicated revenue for the purposes of certification under Section 403.121 as authorized by Section 403.095.  
(c) The board shall incorporate into the board's budget recommendations appropriate measures to reduce state government's reliance on available dedicated revenue for the purposes of certification under Section 403.121 as authorized by Section 403.095 and shall include with the budget recommendations plans for further reducing state government's reliance on available dedicated revenue for those purposes for the succeeding six years.

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state.

(e) The board shall determine the estimated biennial rate of growth of the state's population based on the average rate of growth during the preceding six years according to United States Census Bureau estimates as certified by the comptroller. The board shall determine the estimated biennial rate of monetary inflation in the state based on the average rate of change during the preceding six years of the effective consumer price index for the state. For purposes of this subsection, the effective consumer price index for the state is the average of the consumer price indexes as determined by the United States Department of Labor for the Corpus Christi metropolitan area and for the Dallas/Fort Worth metropolitan area.

(f) The board shall consult the comptroller as necessary to accomplish the objectives of Subsections (b) and (c).

SECTION 4. Subchapter F, Chapter 401, Government Code, is amended by adding Section 401.106 to read as follows:

Sec. 401.106. DRIVING WHILE INTOXICATED PREVENTION; COLLECTION OF CERTAIN FEES. (a) In this section, "offense relating to the operating of a motor vehicle while intoxicated" has the meaning assigned by Section 49.09(c), Penal Code.

(b) Court costs imposed under Article 102.018(e), Code of Criminal Procedure, shall be deposited in a general revenue dedicated account to the credit of the office of the governor to be used and may be appropriated only for the support of programs for the prevention of offenses relating to the operating of a motor vehicle while intoxicated in this state.

(d) The board shall consult the comptroller as necessary to accomplish the objectives of Subsections (b) and (c).

**No equivalent provision.**

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SECTION 5. Subchapter F, Chapter 403, Government Code, is amended by adding Section 403.0956 to read as follows:

Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN DEDICATED REVENUE. Notwithstanding any other law, all interest or other earnings that accrue on all revenue held in an account in the general revenue fund any part of which Section 403.095 makes available for certification under Section 403.121 are available for any general governmental purpose, and the comptroller shall deposit the interest and earnings to the credit of the general revenue fund. This section does not apply to:  
(1) interest or earnings on revenue deposited in accordance with Section 51.008, Education Code; or  
(2) an account that accrues interest or other earnings on deposits of state or federal money the diversion of which is specifically excluded by state or federal law.

SECTION 6. Sections 361.013(a) and (f), Health and Safety Code, are amended to read as follows:

(a) Except as provided by Subsections (e) through (i), the commission shall charge a fee on all solid waste that is disposed of within this state. The fee is 94 cents [~~\$1.25~~] per ton received for disposal at a municipal solid waste landfill if the solid waste is measured by weight. If the solid waste is measured by volume, the fee for compacted solid waste is 30 [~~40~~] cents per cubic yard and the fee [~~0.75~~] for uncompact solid waste is 19 [~~25~~] cents per cubic yard received for disposal at a municipal solid waste landfill. The commission shall set the fee for sludge or similar waste applied to the land for beneficial use on a dry weight basis and for solid waste

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SECTION 2. Subchapter F, Chapter 403, Government Code, is amended by adding Section 403.0956 to read as follows:

Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN DEDICATED REVENUE. Notwithstanding any other law, all interest or other earnings that accrue on all revenue held in an account in the general revenue fund any part of which Section 403.095 makes available for certification under Section 403.121 are available for any general governmental purpose, and the comptroller shall deposit the interest and earnings to the credit of the general revenue fund. This section does not apply to:  
(1) interest or earnings on revenue deposited in accordance with Section 51.008, Education Code;  
(2) interest or earnings on deposits of federal money the diversion of which is specifically excluded by federal law;  
(3) the lifetime license endowment account; or  
(4) the game, fish, and water safety account. [FA1(1)]

SECTION 3. Same as House version.

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received at an incinerator or a shredding and composting facility at half the fee set for solid waste received for disposal at a landfill. The commission may charge comparable fees for other means of solid waste disposal that are used.

(f) The commission may not charge a fee under Subsection (a) for source separated ~~[yard waste]~~ materials that are processed ~~[composted]~~ at a composting and mulch processing facility, including a composting and mulch processing facility located at a permitted landfill site. The commission shall credit any fee payment due under Subsection (a) for any material received and processed ~~[converted]~~ to compost or mulch product at the facility ~~[for composting through a composting process]~~. Any compost or mulch product that is produced at a ~~[for]~~ composting and mulch processing facility that is ~~[not]~~ used in the operation of the facility or is disposed of ~~[as compost and is deposited]~~ in a landfill is not exempt from the fee.

SECTION 7. Sections 361.014(a) and (b), Health and Safety Code, are amended to read as follows:

(a) Revenue received by the commission under Section 361.013 shall be deposited in the state treasury to the credit of the commission. Of that ~~[Half of the]~~ revenue, 66.7 percent is dedicated to the commission's municipal solid waste permitting programs, ~~[and]~~ enforcement programs, and site remediation programs, and ~~[related support activities and]~~ to pay for activities that will enhance the state's solid waste management program. The commission shall issue a biennial report to the legislature describing in detail how the money was spent. The activities to enhance the state's solid waste management program **must** include~~[, including]:~~

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SECTION 4. Sections 361.014(a) and (b), Health and Safety Code, are amended to read as follows:

(a) Revenue received by the commission under Section 361.013 shall be deposited in the state treasury to the credit of the commission. Of that ~~[Half of the]~~ revenue, 66.7 percent is dedicated to the commission's municipal solid waste permitting programs, ~~[and]~~ enforcement programs, and site remediation programs, and ~~[related support activities and]~~ to pay for activities that will enhance the state's solid waste management program. The commission shall issue a biennial report to the legislature describing in detail how the money was spent. The activities to enhance the state's solid waste management program **may** include~~[, including]:~~ [FA1(2)]

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- (1) provision of funds for the municipal solid waste management planning fund and the municipal solid waste resource recovery applied research and technical assistance fund established by the Comprehensive Municipal Solid Waste Management, Resource Recovery, and Conservation Act (Chapter 363);
- (2) conduct of demonstration projects and studies to help local governments of various populations and the private sector to convert to accounting systems and set rates that reflect the full costs of providing waste management services and are proportionate to the amount of waste generated;
- (3) provision of technical assistance to local governments concerning solid waste management;
- (4) establishment of a solid waste resource center in the commission and an office of waste minimization and recycling;
- (5) provision of supplemental funding to local governments for the enforcement of this chapter, the Texas Litter Abatement Act (Chapter 365), and Chapters 391 and 683, Transportation Code;
- (6) conduct of a statewide public awareness program concerning solid waste management;
- (7) provision of supplemental funds for other state agencies with responsibilities concerning solid waste management, recycling, and other initiatives with the purpose of diverting recyclable waste from landfills;
- (8) conduct of research to promote the development and stimulation of markets for recycled waste products;
- (9) creation of a state municipal solid waste superfund, from funds appropriated, for:
  - (A) the cleanup of unauthorized tire dumps and solid waste dumps for which a responsible party cannot be located or is

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- (1) provision of funds for the municipal solid waste management planning fund and the municipal solid waste resource recovery applied research and technical assistance fund established by the Comprehensive Municipal Solid Waste Management, Resource Recovery, and Conservation Act (Chapter 363);
- (2) conduct of demonstration projects and studies to help local governments of various populations and the private sector to convert to accounting systems and set rates that reflect the full costs of providing waste management services and are proportionate to the amount of waste generated;
- (3) provision of technical assistance to local governments concerning solid waste management;
- (4) establishment of a solid waste resource center in the commission and an office of waste minimization and recycling;
- (5) provision of supplemental funding to local governments for the enforcement of this chapter, the Texas Litter Abatement Act (Chapter 365), and Chapters 391 and 683, Transportation Code;
- (6) conduct of a statewide public awareness program concerning solid waste management;
- (7) provision of supplemental funds for other state agencies with responsibilities concerning solid waste management, recycling, and other initiatives with the purpose of diverting recyclable waste from landfills;
- (8) conduct of research to promote the development and stimulation of markets for recycled waste products;
- (9) creation of a state municipal solid waste superfund, from funds appropriated, for:
  - (A) the cleanup of unauthorized tire dumps and solid waste dumps for which a responsible party cannot be located or is

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not immediately financially able to provide the cleanup;

(B) the cleanup or proper closure of abandoned or contaminated municipal solid waste sites for which a responsible party is not immediately financially able to provide the cleanup; and

(C) remediation, cleanup, and proper closure of unauthorized recycling sites for which a responsible party is not immediately financially able to perform the remediation, cleanup, and closure;

(10) provision of funds to mitigate the economic and environmental impacts of lead-acid battery recycling activities on local governments; and

(11) provision of funds for the conduct of research by a public or private entity to assist the state in developing new technologies and methods to reduce the amount of municipal waste disposed of in landfills.

(b) Of [~~Half of~~] the revenue received by the commission under Section 361.013, 33.3 percent is dedicated to local and regional solid waste projects consistent with regional plans approved by the commission in accordance with this chapter and to update and maintain those plans. Those revenues shall be allocated to municipal solid waste geographic planning regions for use by local governments and regional planning commissions according to a formula established by the commission that takes into account population, area, solid waste fee generation, and public health needs. Each planning region shall issue a biennial report to the legislature detailing how the revenue is spent. A project or service funded under this subsection must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services.

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not immediately financially able to provide the cleanup;

(B) the cleanup or proper closure of abandoned or contaminated municipal solid waste sites for which a responsible party is not immediately financially able to provide the cleanup; and

(C) remediation, cleanup, and proper closure of unauthorized recycling sites for which a responsible party is not immediately financially able to perform the remediation, cleanup, and closure;

(10) provision of funds to mitigate the economic and environmental impacts of lead-acid battery recycling activities on local governments; and

(11) provision of funds for the conduct of research by a public or private entity to assist the state in developing new technologies and methods to reduce the amount of municipal waste disposed of in landfills.

(b) Of [~~Half of~~] the revenue received by the commission under Section 361.013, 33.3 percent is dedicated to local and regional solid waste projects consistent with regional plans approved by the commission in accordance with this chapter and to update and maintain those plans. Those revenues shall be allocated to municipal solid waste geographic planning regions for use by local governments and regional planning commissions according to a formula established by the commission that takes into account population, area, solid waste fee generation, and public health needs. Each planning region shall issue a biennial report to the legislature detailing how the revenue is spent. A project or service funded under this subsection must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services.

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SECTION 8. Section 361.133, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (c), money in the account attributable to fees imposed under Section 361.138 may be used for environmental remediation at the site of a closed battery recycling facility located in the municipal boundaries of a municipality if the municipality submits to the commission a voluntary compliance plan for the site and is paying or has paid for part of the costs of the environmental remediation of the site. This subsection expires September 30, 2014.

SECTION 5. Same as House version.

SECTION 9. Section 771.0711(c), Health and Safety Code, is amended to read as follows:

(c) Money collected under Subsection (b) may be used only for services related to 9-1-1 services, including automatic number identification and automatic location information services, or as authorized by Section 771.079(c). Not later than the 15th day after the end of the month in which the money is collected, the commission shall distribute to each emergency communication district that does not participate in the state system a portion of the money that bears the same proportion to the total amount collected that the population of the area served by the district bears to the population of the state. The remaining money collected under Subsection (b) shall be deposited to the 9-1-1 services fee account.

SECTION 6. Same as House version.

SECTION 10. Section 771.079, Health and Safety Code, is

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amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), money [Money] in the account may be appropriated only to the commission for planning, development, provision, or enhancement of the effectiveness of 9-1-1 service or for contracts with regional planning commissions for 9-1-1 service, including for the purposes of:

(1) maintaining 9-1-1 service levels while providing for a transition to a system capable of addressing newer technologies and capable of addressing other needs;

(2) planning and deploying statewide, regional, and local emergency network systems; and

(3) updating geospatial mapping technologies.

(c-1) The legislature may appropriate money from the account to provide assistance to volunteer fire departments under Subchapter G, Chapter 614, Government Code, only if:

(1) the purposes described by Subsection (c) have been accomplished or are fully funded for the fiscal period for which an appropriation under this subsection is made; and

(2) all other sources of revenue dedicated for the purposes of providing assistance to volunteer fire departments under Subchapter G, Chapter 614, Government Code, are obligated for the fiscal period for which an appropriation under this subsection is made.

SECTION 11. Section 780.003(a), Health and Safety Code, is amended to read as follows:

(a) The designated trauma facility and emergency medical services account is created as a dedicated account in the general revenue fund of the state treasury. Money in the

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account may be appropriated only to:

- (1) the department for the purposes described by Section 780.004; or
- (2) the Texas Higher Education Coordinating Board for graduate-level:
  - (A) medical education programs; or
  - (B) nursing education programs.

SECTION 12. Section 2007.002, Insurance Code, is amended to read as follows:

Sec. 2007.002. ASSESSMENT. The comptroller shall assess against all insurers to which this chapter applies amounts for each state fiscal year necessary, as determined by the commissioner, to collect a combined total equal to the total amount that the General Appropriations Act appropriates from the volunteer fire department assistance fund account in the general revenue fund for that state fiscal year [of \$30 million for each 12-month period].

SECTION 13. Section 81.067(c), Natural Resources Code, is amended to read as follows:

- (c) The fund consists of:
  - (1) proceeds from bonds and other financial security required by this chapter and benefits under well-specific plugging insurance policies described by Section 91.104(c) that are paid to the state as contingent beneficiary of the policies, subject to the refund provisions of Section 91.1091, if applicable;
  - (2) private contributions, including contributions made under Section 89.084;
  - (3) expenses collected under Section 89.083;

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SECTION 9. Section 2007.002, Insurance Code, is amended to read as follows:

Sec. 2007.002. ASSESSMENT. The comptroller shall assess against all insurers to which this chapter applies amounts for each state fiscal year necessary, as determined by the commissioner, to collect a combined total equal to the lesser of the total amount that the General Appropriations Act appropriates from the volunteer fire department assistance fund account in the general revenue fund for that state fiscal year and [of] \$30 million [for each 12-month period].

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- (4) fees imposed under Section 85.2021;
- (5) costs recovered under Section 91.457 or 91.459;
- (6) proceeds collected under Sections 89.085 and 91.115;
- (7) interest earned on the funds deposited in the fund;
- (8) oil and gas waste hauler permit application fees collected under Section 29.015, Water Code;
- (9) costs recovered under Section 91.113(f);
- (10) hazardous oil and gas waste generation fees collected under Section 91.605;
- (11) oil-field cleanup regulatory fees on oil collected under Section 81.116;
- (12) oil-field cleanup regulatory fees on gas collected under Section 81.117;
- (13) fees for a reissued certificate collected under Section 91.707;
- (14) fees collected under Section 91.1013;
- (15) fees collected under Section 89.088;
- (16) fees collected under Section 91.142;
- (17) fees collected under Section 91.654;
- (18) costs recovered under Sections 91.656 and 91.657;
- (19) two-thirds of the fees collected under Section 81.0521;
- (20) fees collected under Sections 89.024 and 89.026;
- (21) legislative appropriations; ~~and~~
- (22) any surcharges collected under Section 81.070; and
- (23) fees collected under Section 91.0115.

SECTION 14. Section 81.068, Natural Resources Code, is amended to read as follows:  
Sec. 81.068. **PURPOSE** OF OIL AND GAS REGULATION AND CLEANUP FUND. Money in the oil and gas regulation and cleanup fund may be used by the commission or its

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SECTION 11. Section 81.068, Natural Resources Code, is amended to read as follows:  
Sec. 81.068. **PURPOSES** ~~PURPOSE~~ OF OIL AND GAS REGULATION AND CLEANUP FUND. Money in the oil and gas regulation and cleanup fund may be used by the

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employees or agents for any purpose related to the regulation of oil and gas development, including oil and gas monitoring and inspections, oil and gas remediation, oil and gas well plugging, public information and services related to those activities, the study and evaluation of electronic access to geologic data and surface casing depths necessary to protect usable groundwater in this state, and administrative costs and state benefits for personnel involved in those activities.

No equivalent provision.

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commission or its employees or agents for any purpose related to the regulation of oil and gas development, including oil and gas monitoring and inspections, oil and gas remediation, and oil and gas well plugging, the study and evaluation of electronic access to geologic data and surface casing depths necessary to protect usable groundwater in this state, alternative fuels programs under Section 81.0681, public information and services related to those activities, and administrative costs and state benefits for personnel involved in those activities.

SECTION 12. Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.0681 to read as follows:

Sec. 81.0681. ALTERNATIVE FUELS PROGRAMS. (a) The commission may adopt all necessary rules relating to activities regarding the use of alternative fuels that are or have the potential to be effective in improving the air quality, energy security, or economy of this state.

(b) The commission may use the oil and gas regulation and cleanup fund to pay for activities relating to the use of alternative fuels, including direct and indirect costs relating to:

(1) researching all possible uses of liquefied petroleum gas and natural gas as alternative fuels;

(2) researching, developing, and implementing marketing, advertising, and informational programs relating to alternative fuels to make alternative fuels more understandable and readily available to consumers;

(3) developing and implementing conservation and distribution plans to minimize the frequency and severity of disruptions in the supply of alternative fuels;

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(4) developing a public information plan that will provide advisory services relating to alternative fuels to consumers;  
(5) developing voluntary participation plans to promote the use of alternative fuels by federal, state, and local agencies;  
and  
(6) other functions the commission determines are necessary to add a program established by the commission for the purpose of promoting the use of liquefied petroleum gas, natural gas, or other alternative fuels.

SECTION 15. Section 91.0115, Natural Resources Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The commission shall charge a fee not to exceed \$75, in addition to the fee required by Subsection (b), for processing a request to expedite a letter of determination. ~~[Money collected under this subsection may be used to study and evaluate electronic access to geologic data and surface casing depths under Section 91.020.]~~

(d) The fees collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION 13. Same as House version.

SECTION 16. Section 151.801(c-1), Tax Code, is amended to read as follows:

(c-1) Except as provided by this subsection, the ~~[The]~~ comptroller may not credit to the Parks and Wildlife Department or the Texas Historical Commission any amounts under this section that are in excess of the amounts appropriated to the department or commission for that biennium~~[-less any other amounts to which the department or~~

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~~commission is entitled].~~ In addition to amounts appropriated to the Parks and Wildlife Department from the proceeds described by Subsection (c), the comptroller shall transfer to appropriate department accounts amounts from those proceeds sufficient to fund the state contributions for employee benefits of Parks and Wildlife Department employees whose salaries or wages are paid from department accounts receiving the transfers.

SECTION 17. Section 501.138(b-2), Transportation Code, is amended to read as follows:

(b-2) The comptroller shall establish a record of the amount of the fees deposited to the credit of the Texas Mobility Fund under Subsection (b-1) and shall monitor transfers to and from the Texas emissions reduction plan fund. On or before the fifth workday of each month, the department shall remit to the comptroller for deposit to the credit of the Texas emissions reduction plan fund an amount of money, ~~not to exceed [equal to]~~ the amount of the fees deposited by the comptroller to the credit of the Texas Mobility Fund under Subsection (b-1) in the preceding month, the comptroller determines is necessary to meet amounts appropriated from the Texas emissions reduction plan fund or, after consultation with the Texas Commission on Environmental Quality, if a fee is imposed on stationary sources in a county located in a nonattainment area as provided by 42 U.S.C. Section 7511d, an amount of money not to exceed the amount of the total of fees attributable to applicants for titles, other than the state or political subdivisions of the state, who reside in a county located in a nonattainment area or in an affected county, as described by Subsection (a)(1). The department shall use for remittance to

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the comptroller as required by this subsection money in the state highway fund that is not required to be used for a purpose specified by Section 7-a, Article VIII, Texas Constitution, and may not use for that remittance money received by this state under the congestion mitigation and air quality improvement program established under 23 U.S.C. Section 149. The Texas Transportation Commission may designate for congestion mitigation projects or for deposit to the Texas rail relocation fund eligible amounts retained in the state highway fund because the amounts were not required to be remitted under this subsection on the condition that the Texas Commission on Environmental Quality, after a public hearing, finds that the use of the funds for those purposes will be at least as effective as other eligible uses of those funds under the Texas emissions reduction plan in maintaining or attaining compliance with the federal Clean Air Act and notifies the Texas Transportation Commission of that finding. Unless that condition is met, the amounts shall be deposited to the credit of the Texas emissions reduction plan fund. The Texas Commission on Environmental Quality by rule shall adopt criteria for making the finding required by this subsection.

SECTION 18. Subchapter G, Chapter 504, Transportation Code, is amended by adding Section 504.6012 to read as follows:

Sec. 504.6012. ELIMINATION OF DEDICATED REVENUE ACCOUNTS; REVENUES IN TRUST. (a) Notwithstanding any other provision of this subchapter, not later than September 30, 2013, the comptroller shall eliminate all dedicated accounts established for specialty license plates

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under this subchapter and shall set aside the balances of those dedicated accounts so that the balances may be appropriated only for the purposes intended as provided by the dedications.  
(b) On and after September 1, 2013, the portion of a fee payable under this subchapter that is designated for deposit to a dedicated account shall be paid instead to the credit of an account in a trust fund created by the comptroller outside the general revenue fund. The comptroller shall administer the trust fund and accounts and may allocate the corpus and earnings on each account only in accordance with the dedications of the revenue deposited to the trust fund accounts.

SECTION 19. Section 17.007, Utilities Code, is amended to read as follows:

Sec. 17.007. ELIGIBILITY PROCESS FOR CUSTOMER SERVICE DISCOUNTS. The commission by rule shall provide for an integrated eligibility process for customer service discounts, including discounts under Sections 39.9035 [~~39.903~~] and 55.015.

No equivalent provision.

SECTION 20. Section 39.002, Utilities Code, is amended to read as follows:

Sec. 39.002. APPLICABILITY. This chapter, other than Sections 39.155, 39.157(e), 39.203, 39.903, 39.9035, 39.904, 39.9051, 39.9052, and 39.914(e), does not apply to a municipally owned utility or an electric cooperative. Sections 39.157(e), 39.203, and 39.904, however, apply only to a municipally owned utility or an electric cooperative that is offering customer choice. If there is a conflict between the

No equivalent provision.



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specific provisions of this chapter and any other provisions of this title, except for Chapters 40 and 41, the provisions of this chapter control.

SECTION 21. Subchapter Z, Chapter 39, Utilities Code, is amended by amending Section 39.903 and adding Section 39.9035 to read as follows:

Sec. 39.903. SYSTEM BENEFIT FUND. (a) The system benefit fund is an account in the general revenue fund. Money in the account may be appropriated only for the purposes provided by this section ~~[or other law]~~. Interest earned on the system benefit fund shall be credited to the fund. Section 403.095, Government Code, does not apply to the system benefit fund.

(b) The system benefit fund is financed by a nonbypassable system benefit fund fee set by the commission in an amount not to exceed two ~~[65]~~ cents per megawatt hour. The system benefit fund fee is allocated to customers based on the amount of kilowatt hours used.

(c) The nonbypassable system benefit fund fee may not be imposed on the retail electric customers of a municipally owned utility or electric cooperative before the sixth month preceding the date on which the utility or cooperative implements customer choice. Money distributed from the system benefit fund to a municipally owned utility or an electric cooperative shall be proportional to the nonbypassable fee paid by the municipally owned utility or the electric cooperative ~~[, subject to the reimbursement provided by Subsection (i)]~~. On request by a municipally owned utility or electric cooperative, the commission shall reduce the nonbypassable fee imposed on retail electric customers served

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by the municipally owned utility or electric cooperative by an amount equal to the amount provided by the municipally owned utility or electric cooperative or its ratepayers for ~~local low income programs and~~ local programs that educate customers about the retail electric market in a neutral and nonpromotional manner. The commission shall adopt rules providing for reimbursements from appropriated system benefit fund money for activities authorized for funding under this section.

(d) The commission shall annually review and approve system benefit fund accounts, projected revenue requirements, and proposed nonbypassable fees. The commission shall report to the electric utility restructuring legislative oversight committee if the system benefit fund fee is insufficient to fund the purposes set forth in Subsection (e) to the extent required by this section.

(e) Money in the system benefit fund may be appropriated to provide funding solely for the following regulatory purposes [~~in the following order of priority~~]:

(1) ~~programs to:~~

~~[(A) assist low income electric customers by providing the 10 percent reduced rate prescribed by Subsection (h); and~~

~~[(B) provide one time bill payment assistance to electric customers who are or who have in their households one or more seriously ill or disabled low income persons and who have been threatened with disconnection for nonpayment;~~

~~[(2) customer education programs;~~

~~[(2) [;] administrative expenses incurred by the commission in implementing and administering this chapter;~~

~~[(3) [and] expenses incurred by the office under this chapter;~~

~~[(4) [(3)] programs to assist low-income electric customers by providing weatherization or other ~~the targeted~~ energy~~

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efficiency programs [~~described by Subsection (f)(2);~~  
~~[(4) programs to assist low income electric customers by~~  
~~providing the 20 percent reduced rate prescribed by~~  
~~Subsection (h)]; and~~

(5) reimbursement to the commission and the Health and Human Services Commission for expenses incurred in the implementation and administration of an integrated eligibility process created under Section 17.007 for customer service discounts relating to retail electric service, including outreach expenses the commission determines are reasonable and necessary.

(f) The legislature may appropriate from the system benefit fund not more than \$100 million each state fiscal biennium for the purposes of Subsection (e)(4). Money appropriated from the system benefit fund for the purposes of Subsection (e)(4) must be transferred to the low-income electric customers program fund for disbursement under Section 39.9035.

Sec. 39.9035. LOW-INCOME ELECTRIC CUSTOMERS PROGRAM FUND. (a) In this section, "critical care residential customer" means a residential customer who has a person permanently residing in the customer's home who is diagnosed by a physician as being dependent on an electric-powered medical device to sustain life.

(b) The commission shall adopt and enforce rules requiring transmission and distribution utilities to establish a low-income electric customers program fund under commission oversight. The rules must provide for:

(1) the fund to be established as a trust fund outside of the state treasury;

(2) the fund to be held by an administrator selected by the transmission and distribution utilities in accordance with standards adopted by the commission; and

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(3) any interest earned on money in the fund to be credited to the fund.

(c) The administrator serves as trustee of the fund for the benefit of low-income electric customer programs described by this section, and in accordance with commission rules, the administrator may make any payments or reimbursements from the fund to further the programs. Commission rules must prescribe the maximum percentage of money available in the fund that may be used for the expenses of administering the fund and for annual independent auditing of the fund and expenditures and other transactions related to the fund. The commission or its agents may at any time examine any records related to the fund or investigate any fund-related expenditures or expenses. The administrator and each transmission and distribution utility shall fully cooperate with any investigation regarding the fund conducted by the commission or its agents.

(d) The commission by rule shall impose a nonbypassable low-income electric customers program fund fee to be set by the commission in an amount not to exceed 50 cents per megawatt hour, allocated to customers based on the amount of kilowatt hours used.

(e) The commission shall provide for a nonbypassable fee in the same amount as the fee imposed under Subsection (d) to be imposed on the retail electric customers of a municipally owned utility or electric cooperative beginning on the first day of the sixth month preceding the date on which the utility or cooperative implements customer choice. Money distributed from the system benefit fund to a municipally owned utility or an electric cooperative shall be proportional to the nonbypassable fee paid by the municipally owned utility or the electric cooperative. On request by a municipally owned

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utility or electric cooperative, the commission shall reduce the nonbypassable fee imposed on retail electric customers served by the municipally owned utility or electric cooperative by an amount equal to the amount provided by the municipally owned utility or electric cooperative or its ratepayers for local low-income programs.

(f) Commission rules adopted under this section must provide that the low-income electric customers program fund fees collected for the programs described by this section are collected through the rates of the transmission and distribution service providers and deposited into the low-income electric customers program fund.

(g) Except as provided by Subsection (h), money in the low-income electric customers program fund may be spent only for the following regulatory purposes and must be allocated as follows:

(1) not more than 96 percent of the money available in the fund must be used to provide a 15 percent reduced rate for low-income households for each billing period during the months of May through October of each year; and

(2) not more than 4 percent of the money available in the fund must be used for bill payment assistance for critical care residential customers with total household incomes not to exceed 400 percent of the federal poverty guidelines.

(h) Only money appropriated for the purposes of Section 39.903(e)(4) and transferred to the fund may be used to finance low-income electric customer weatherization programs under this section. The programs must be operated by a statewide network of federal weatherization program providers under federal weatherization program guidelines and may include related low-income energy efficiency programs.

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~~(i) [(f) Notwithstanding Section 39.106(b), the commission shall adopt rules regarding programs to assist low-income electric customers on the introduction of customer choice. The programs may not be targeted to areas served by municipally owned utilities or electric cooperatives that have not adopted customer choice. The programs shall include:~~

~~[(1) reduced electric rates as provided by Subsections (h) (1); and~~

~~[(2) targeted energy efficiency programs to be administered by the Texas Department of Housing and Community Affairs in coordination with existing weatherization programs.~~

~~[(g) Until customer choice is introduced in a power region, an electric utility may not reduce, in any manner, programs already offered to assist low-income electric customers.~~

~~(j) [(h) The commission shall adopt rules for a retail electric provider to determine a reduced rate for eligible customers to be discounted off the standard retail service package as approved by the commission under Section 39.106 and shall require a retail electric provider to apply the same reduction to any rate plan under which an eligible low-income electric customer is receiving service [; or the price to beat established by Section 39.202, whichever is lower]. Municipally owned utilities and electric cooperatives shall establish a reduced rate for eligible customers to be discounted off the standard retail service package established under Section 40.053 or 41.053, as appropriate, so that the total of the discounts provided under this section is proportional to the total of the nonbypassable fees imposed as provided by Section 39.9035(e) that are collected from the retail electric customers of the utility or cooperative. The reduced rate for a retail electric provider shall result in a total charge for each billing period that is at least 15 [40] percent [and, if sufficient money~~

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~~in the system benefit fund is available, up to 20 percent,~~  
lower than the amount the customer would otherwise be charged for each billing period. To the extent the low-income electric customers program ~~[system benefit]~~ fund is insufficient to pay for ~~[fund]~~ the 15 ~~[initial 10]~~ percent rate reduction, the commission may increase the fee to an amount of not more than 50 ~~[65]~~ cents per megawatt hour, as provided by Subsection (d) ~~[(4)]~~. If the fee is set at 50 ~~[65]~~ cents per megawatt hour or if the commission determines that revenues anticipated to be due for deposit to the fund are ~~[appropriations are]~~ insufficient to pay for ~~[fund]~~ the 15 ~~[10]~~ percent rate reduction, the commission shall ~~[may]~~ reduce the rate of the reduction to less than 15 ~~[10]~~ percent. For a municipally owned utility or electric cooperative, the reduced rate shall be equal to an amount that can be fully funded by that portion of the nonbypassable fee proceeds paid by the municipally owned utility or electric cooperative that is allocated to the utility or cooperative by the commission under Subsection (g) ~~[(e)]~~ for programs for low-income customers of the utility or cooperative. The reduced rate for municipally owned utilities and electric cooperatives under this section is in addition to any rate reduction that may result from local programs for low-income customers of the municipally owned utilities or electric cooperatives. Before August 1 of each even-numbered year, the commission shall project whether revenue anticipated to be due for deposit to the fund during the next state fiscal biennium will be sufficient to pay for the 15 percent rate reduction. If the commission projects that the anticipated revenue would be insufficient to pay for the rate reduction, not later than August 1 the commission shall report to the Legislative Budget Board the additional amount that would be necessary to pay for the rate reduction and request

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that the board include in the budget for that biennium an appropriation in that amount to the commission for that purpose from the system benefit fund or another source. Notwithstanding Section 39.903, the legislature may appropriate money from the system benefit fund for the purpose of ensuring sufficient funding to pay for the rate reduction.

(k) [(†)] A retail electric provider, municipally owned utility, or electric cooperative seeking reimbursement from the low-income electric customers program [system benefit] fund may not charge an eligible low-income customer a rate higher than the appropriate rate determined under Subsection (j) [(h)]. Commission rules must provide for [A retail electric provider not subject to the price to beat, or] a municipally owned utility or electric cooperative subject to the nonbypassable fee under Subsection (e) to [(e), shall] be reimbursed from the [system benefit] fund for the difference between the reduced rate and the rate established under [Section 39.106 or, as appropriate, the rate established under] Section 40.053 or 41.053, as appropriate. A retail electric provider [who is subject to the price to beat] shall be reimbursed from the [system benefit] fund for the difference between the reduced rate and the rate plan under which the customer is receiving service [the price to beat]. The commission shall adopt rules providing for the reimbursement.

(l) [(†)] The commission shall adopt rules providing for methods of enrolling customers eligible to receive the reduced rates determined under Subsection (j) [(h)]. The rules must provide for automatic enrollment as one enrollment option. The Health and [Texas Department of] Human Services Commission, on request of the commission, shall assist in the adoption and implementation of these rules. The commission



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and the Health and ~~[Texas Department of]~~ Human Services Commission shall enter into a memorandum of understanding establishing the respective duties of the agencies ~~[commission and the department]~~ in relation to the automatic enrollment. Rules adopted under this section must provide that:

(1) an electric customer eligible for the reduced rates determined under Subsection (j) is also eligible for reduced rates for telecommunications services offered for low-income customers; and

(2) a customer eligible for reduced rates for telecommunications services offered for low-income customers is also eligible for the reduced rates established under Subsection (j).

(m) [(j-1)] The commission shall adopt rules governing the bill payment assistance program provided under Subsection (g)(2) [(e)(1)(B)]. The rules must provide that a customer is eligible to receive the assistance only if the assistance is necessary to prevent the disconnection of service for nonpayment of bills for a critical care residential customer ~~[and the electric customer is or has in the customer's household one or more seriously ill or disabled low income persons whose health or safety may be injured by the disconnection]~~. The commission may prescribe the documentation necessary to demonstrate eligibility for the assistance and may establish additional eligibility criteria. The Health and Human Services Commission, on request of the commission, shall assist in the adoption and implementation of these rules.

(n) [(k)] A retail electric provider is prohibited from charging the customer a fee for participation in the reduced rate program.

(o) Notwithstanding Subsections (d), (e), (f), and (j), the low-

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income electric customers program fund fee may not be imposed after August 31, 2023. After that date, the commission and the administrator shall undertake to continue the low-income electric customers programs described by this section until the balances of the fund and the system benefit fund are exhausted.

~~[(1) For the purposes of this section, a "low income electric customer" is an electric customer:~~

~~[(1) whose household income is not more than 125 percent of the federal poverty guidelines; or~~

~~[(2) who receives food stamps from the Texas Department of Human Services or medical assistance from a state agency administering a part of the medical assistance program.]~~

SECTION 22. Section 39.905(f), Utilities Code, is amended to read as follows:

(f) Unless funding is provided under Section 39.9035 ~~[39.903]~~, each unbundled transmission and distribution utility shall include in its energy efficiency plan a weatherization and ~~[targeted]~~ low-income energy efficiency program as described by Section 39.9035(h) ~~[39.903(f)(2)]~~, and the savings achieved by the program shall count toward the transmission and distribution utility's energy efficiency goal. The commission shall determine the appropriate level of funding to be allocated to both the required weatherization programs ~~[targeted]~~ and standard offer low-income energy efficiency programs in each unbundled transmission and distribution utility service area. The level of funding for the required weatherization programs and low-income energy efficiency programs shall be provided from money approved by the commission for the transmission and distribution utility's

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energy efficiency programs. The commission shall ensure that annual expenditures for the required weatherization programs and ~~[targeted]~~ low-income energy efficiency programs of each unbundled transmission and distribution utility are not less than 10 percent of the transmission and distribution utility's energy efficiency budget for the year. A required weatherization program or a ~~[targeted]~~ low-income energy efficiency program must comply with the same audit requirements that apply to federal weatherization subrecipients. In an energy efficiency cost recovery factor proceeding related to expenditures under this subsection, the commission shall make findings of fact regarding whether the utility meets requirements imposed under this subsection. The state agency that administers the federal weatherization assistance program shall provide reports as required by the commission to provide the most current information available on energy and peak demand savings achieved in each transmission and distribution utility service area. The agency shall participate in energy efficiency cost recovery factor proceedings related to expenditures under this subsection to ensure that the required weatherization programs and ~~[targeted]~~ low-income weatherization programs are consistent with federal weatherization programs and adequately funded.

SECTION 23. Section 40.001(a), Utilities Code, is amended to read as follows:

(a) Notwithstanding any other provision of law, except Sections 39.155, 39.157(e), 39.203, 39.903, 39.9035, and 39.904, this chapter governs the transition to and the establishment of a fully competitive electric power industry for municipally owned utilities. With respect to the regulation

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of municipally owned utilities, this chapter controls over any other provision of this title, except for sections in which the term "municipally owned utility" is specifically used.

SECTION 24. Section 40.004, Utilities Code, is amended to read as follows:

Sec. 40.004. JURISDICTION OF COMMISSION. Except as specifically otherwise provided in this chapter, the commission has jurisdiction over municipally owned utilities only for the following purposes:

- (1) to regulate wholesale transmission rates and service, including terms of access, to the extent provided by Subchapter A, Chapter 35;
- (2) to regulate certification of retail service areas to the extent provided by Chapter 37;
- (3) to regulate rates on appeal under Subchapters D and E, Chapter 33, subject to Section 40.051(c);
- (4) to establish a code of conduct as provided by Section 39.157(e) applicable to anticompetitive activities and to affiliate activities limited to structurally unbundled affiliates of municipally owned utilities, subject to Section 40.054;
- (5) to establish terms and conditions for open access to transmission and distribution facilities for municipally owned utilities providing customer choice, as provided by Section 39.203;
- (6) to require collection of the nonbypassable fees [~~fee~~] established under Section 39.903(b) and Section 39.9035(e);
- ~~(7)~~ [~~and~~] to administer the renewable energy credits program under Section 39.904(b) and the natural gas energy credits program under Section 39.9044(b); and
- (8) [~~(7)~~] to require reports of municipally owned utility

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No equivalent provision.

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operations only to the extent necessary to:

(A) enable the commission to determine the aggregate load and energy requirements of the state and the resources available to serve that load; or

(B) enable the commission to determine information relating to market power as provided by Section 39.155.

SECTION 25. Section 41.001, Utilities Code, is amended to read as follows:

Sec. 41.001. **APPLICABLE LAW.** Notwithstanding any other provision of law, except Sections 39.155, 39.157(e), 39.203, 39.903, 39.9035, and 39.904, this chapter governs the transition to and the establishment of a fully competitive electric power industry for electric cooperatives. Regarding the regulation of electric cooperatives, this chapter shall control over any other provision of this title, except for sections in which the term "electric cooperative" is specifically used.

No equivalent provision.

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No equivalent provision.

SECTION 16. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.9039 to read as follows:

Sec. 39.9039. DISBURSEMENT OF SYSTEM BENEFIT FUND BALANCE. (a) Money in the system benefit fund may be appropriated for the purpose of returning the money to payers of the fee imposed under Section 39.903 as provided by this section.

(b) After consultation with the comptroller, the commission by rule shall establish a system for transmission and distribution utilities, retail electric providers, municipally owned utilities, or electric cooperatives to credit retail electric

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customers' bills in amounts necessary to expend in accordance with this section and as fully as practicable any portion of the system benefit fund appropriated to the commission for that purpose.

(c) The commission shall direct the comptroller to disburse as much as practicable of the appropriated money described by Subsection (b) as soon as practicable in one or more installments to transmission and distribution utilities, retail electric providers, municipally owned utilities, or electric cooperatives under the system established under Subsection (b) so that each entity receives an amount necessary to give each retail electric customer that has customer choice an equal credit so that the total of the credits equals the total amount disbursed.

(d) The commission by rule shall require each entity receiving disbursements under this section to ensure that retail electric customers that have customer choice, through one or more billings for electric services, each receive equal credits that, in the aggregate, equal the amount of the disbursements received under this section, less a reasonable amount to reimburse the entity for administering this section as established by the commission in an amount not to exceed two percent of the disbursements. The commission by rule shall ensure that the customer is provided, with the customer's bill, notice that the refund of the system benefit fund fee is "provided by the Texas Legislature."

(e) The comptroller and commission jointly shall issue a report on the progress made in developing and implementing the system required to be established by Subsection (b), and in disbursing the amount appropriated from the system benefit fund through that system, not later than December 15 of each fiscal year for which the money is appropriated. The report

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issued under this subsection must be presented in writing to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the senate and house of representatives having primary jurisdiction over electric utilities.

SECTION 26. Subchapter I, Chapter 26, Water Code, is amended by adding Section 26.35745 to read as follows:

Sec. 26.35745. REPORT ON CORRECTIVE ACTIONS FOR PETROLEUM CONTAMINATED SITES AND FEES NECESSARY TO CONCLUDE PROGRAM.

(a) The commission annually shall prepare a report regarding the status of corrective actions for sites reported to the commission under this subchapter as having had a release needing corrective action. The commission must issue the report to the legislature on or before November 1 of each year.

(b) Regarding sites reported to the commission under this subchapter as having had a release needing corrective action on or before December 22, 1998, and that remain in the commission's PST State-Lead Program on September 1, 2013, the report must include:

(1) the total number of sites;

(2) the total number of sites for which corrective action is ongoing;

(3) the total number of sites monitored;

(4) the projected costs of the corrective actions;

(5) the projected costs of monitoring;

(6) a projected timeline for issuing closure letters under this subchapter for all of the sites; and

(7) for each site, the corrective action activities proposed and completed during the preceding state fiscal year.

SECTION 17. Same as House version.

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(c) Regarding sites reported to the commission under this subchapter as having had a release needing corrective action after December 22, 1998, for which the commission has elected to assume responsibility for undertaking corrective action under this subchapter, the report must include:

(1) the current status of each site;

(2) the costs associated with the corrective action activities performed during the preceding state fiscal year for the sites;

(3) amounts recovered under Section 26.355 related to the sites; and

(4) enforcement actions taken against owners and operators related to those sites.

(d) The commission shall investigate the amount of fees that would be necessary to cover the costs necessary to conclude the programs and activities under this subchapter before September 1, 2021. The commission shall include in the annual report under this section the conclusions of the investigation and the commission's recommendations regarding the fees and programs and activities.

(e) This section expires September 1, 2021.

SECTION 27. (a) The comptroller of public accounts shall compute the amount by which the amount of the revenue described by Object Code 3201, Insurance Premium Taxes, as referenced in the comptroller's biennial revenue estimate submitted in advance of the 83rd Legislature, Regular Session, 2013, and actually received during the state fiscal biennium beginning September 1, 2013, exceeds the amount of that revenue as estimated for that biennium in the biennial revenue estimate.

(b) Notwithstanding any other law providing for the

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allocation or dedication of the revenue described by Object Code 3201, Insurance Premium Taxes, as referenced in the comptroller's biennial revenue estimate submitted in advance of the 83rd Legislature, Regular Session, 2013, the first \$340 million of the amount of the excess revenue computed by the comptroller under Subsection (a) of this section shall be considered available for appropriation for providing the nonfederal share of disproportionate share hospitals supplemental payment program funds.

(c) This section expires August 31, 2015.

SECTION 28. Article 102.018(e), Code of Criminal Procedure, as added by this Act, applies only to a cost on conviction for an offense committed on or after September 1, 2013. An offense committed before September 1, 2013, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2013, if any element of the offense was committed before that date.

SECTION 29. The Public Utility Commission of Texas shall adopt or revise, as necessary to implement this Act, rules governing the system benefit fund and the low-income electric customers program fund under Section 39.903, Utilities Code, as amended by this Act, and Section 39.9035, Utilities Code, as added by this Act, not later than January 1, 2014.

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SECTION \_\_. Effective September 1, 2015, Section 56.095(b), Education Code, is repealed. [FA2]

SECTION \_\_. (a) Subchapter I, Chapter 113, Natural Resources Code, is repealed.

(b) On the effective date of this Act:

(1) the alternative fuels research and education fund is abolished;

(2) any money remaining in the alternative fuels research and education fund is transferred to the undedicated portion of the general revenue fund;

(3) any claim against the alternative fuels research and education fund is transferred to the undedicated portion of the general revenue fund; and

(4) any amount required to be deposited to the credit of the alternative fuels research and education fund shall be deposited to the credit of the undedicated portion of the general revenue fund.

(c) Any money transferred from the alternative fuels research and education fund to the undedicated portion of the general revenue fund that was deposited in the alternative fuels research and education fund as a gift, grant, or other form of assistance under former Subchapter I, Chapter 113, Natural Resources Code, and is encumbered by the specific terms of the gift, grant, or other form of assistance may be spent only in accordance with the terms of the gift, grant, or other form of assistance. Subchapter I, Chapter 113, Natural Resources Code, is continued in effect for the limited purpose of administering this subsection. [FA1(4)]

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SECTION 30. 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.

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SECTION 18. The balance of the system benefit fund, in an amount not to exceed \$630 million, to the extent that balance is not otherwise appropriated by an Act of the 82nd Legislature or by an Act of the 83rd Legislature, Regular Session, 2013, is appropriated to the comptroller of public accounts for the period beginning on the effective date of this Act and ending August 31, 2014, for the purpose of returning the money to payers of the fee imposed under Section 39.903, Utilities Code, as provided by Section 39.9039, Utilities Code, as added by this Act. [FA1(3)]

SECTION 19. Same as House version.

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