

1-1 By: Springer, Isaac, Guillen H.B. No. 239  
1-2 (Senate Sponsor - Perry)  
1-3 (In the Senate - Received from the House May 6, 2015;  
1-4 May 7, 2015, read first time and referred to Committee on  
1-5 Agriculture, Water, and Rural Affairs; May 12, 2015, reported  
1-6 favorably by the following vote: Yeas 5, Nays 0, 1 present not  
1-7 voting; May 12, 2015, sent to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Perry	X			
1-11	Zaffirini	X			
1-12	Creighton	X			
1-13	Hall	X			
1-14	Hinojosa			X	
1-15	Kolkhorst				X
1-16	Rodríguez	X			

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to storage of flammable liquids at retail service stations  
1-20 in unincorporated areas and certain municipalities.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 753.004, Health and Safety Code, is  
1-23 amended by amending Subsections (d) and (e) and adding Subsection  
1-24 (d-1) to read as follows:

1-25 (d) Except as provided by Subsection (d-1), gasoline  
1-26 [Gasoline], diesel fuel, or kerosene may be stored in an  
1-27 aboveground storage tank [with a capacity of not more than 4,000  
1-28 gallons] at a retail service station located in an unincorporated  
1-29 area or in a municipality with a population of less than 5,000.

1-30 (d-1) A commissioners court of a county with a population of  
1-31 3.3 million or more may by order limit the maximum volume of an  
1-32 aboveground storage tank in an unincorporated area of the county in  
1-33 accordance with the county fire code.

1-34 (e) Under Subsection (d), a retail service station may have  
1-35 a tank [not exceeding the specified capacity] for each separate  
1-36 grade of gasoline, diesel fuel, or kerosene, but may not have more  
1-37 than one tank [of that capacity] for the same grade.

1-38 SECTION 2. This Act takes effect immediately if it receives  
1-39 a vote of two-thirds of all the members elected to each house, as  
1-40 provided by Section 39, Article III, Texas Constitution. If this  
1-41 Act does not receive the vote necessary for immediate effect, this  
1-42 Act takes effect September 1, 2015.

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