

1-1 By: Darby, et al. (Senate Sponsor - Williams) H.B. No. 7
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on Finance;
 1-4 May 20, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 12, Nays 1, 1 present not
 1-6 voting; May 20, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19				X
1-20			X	
1-21	X			
1-22	X			
1-23		X		

1-24 COMMITTEE SUBSTITUTE FOR H.B. No. 7 By: Nelson

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to the amounts, availability, and use of certain
 1-28 statutorily dedicated revenue and accounts; reducing or affecting
 1-29 the amounts or rates of certain statutorily dedicated fees and
 1-30 assessments; imposing certain court costs.

1-31 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-32 SECTION 1. Chapter 322, Government Code, is amended by
 1-33 adding Section 322.024 to read as follows:

1-34 Sec. 322.024. REDUCTION OF RELIANCE ON AVAILABLE DEDICATED
 1-35 REVENUE FOR BUDGET CERTIFICATION. (a) In this section, "available
 1-36 dedicated revenue" means revenue that Section 403.095 makes
 1-37 available for certification under Section 403.121.

1-38 (b) The board shall:

1-39 (1) develop and implement a process to review:

1-40 (A) new legislative enactments that create
 1-41 dedicated revenue; and

1-42 (B) the appropriation and accumulation of
 1-43 dedicated revenue and available dedicated revenue;

1-44 (2) develop and implement tools to evaluate the use of
 1-45 available dedicated revenue for state government financing and
 1-46 budgeting; and

1-47 (3) develop specific and detailed recommendations on
 1-48 actions the legislature may reasonably take to reduce state
 1-49 government's reliance on available dedicated revenue for the
 1-50 purposes of certification under Section 403.121 as authorized by
 1-51 Section 403.095.

1-52 (c) The board shall incorporate into the board's budget
 1-53 recommendations appropriate measures to reduce state government's
 1-54 reliance on available dedicated revenue for the purposes of
 1-55 certification under Section 403.121 as authorized by Section
 1-56 403.095 and shall include with the budget recommendations plans for
 1-57 further reducing state government's reliance on available
 1-58 dedicated revenue for those purposes for the succeeding six years.

1-59 (d) The board shall consult the comptroller as necessary to
 1-60 accomplish the objectives of Subsections (b) and (c).

2-1 SECTION 2. Subchapter F, Chapter 403, Government Code, is
 2-2 amended by adding Section 403.0956 to read as follows:

2-3 Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
 2-4 DEDICATED REVENUE. Notwithstanding any other law, all interest or
 2-5 other earnings that accrue on all revenue held in an account in the
 2-6 general revenue fund any part of which Section 403.095 makes
 2-7 available for certification under Section 403.121 are available for
 2-8 any general governmental purpose, and the comptroller shall deposit
 2-9 the interest and earnings to the credit of the general revenue fund.

2-10 This section does not apply to:

2-11 (1) interest or earnings on revenue deposited in
 2-12 accordance with Section 51.008, Education Code; or

2-13 (2) an account that accrues interest or other earnings
 2-14 on deposits of state or federal money the diversion of which is
 2-15 specifically excluded by federal law.

2-16 SECTION 3. Sections 361.013(a) and (f), Health and Safety
 2-17 Code, are amended to read as follows:

2-18 (a) Except as provided by Subsections (e) through (i), the
 2-19 commission shall charge a fee on all solid waste that is disposed of
 2-20 within this state. The fee is 94 cents [~~\$1.25~~] per ton received for
 2-21 disposal at a municipal solid waste landfill if the solid waste is
 2-22 measured by weight. If the solid waste is measured by volume, the
 2-23 fee for compacted solid waste is 30 [~~40~~] cents per cubic yard and
 2-24 the fee [~~or~~] for uncompacted solid waste is 19 [~~25~~] cents per
 2-25 cubic yard received for disposal at a municipal solid waste
 2-26 landfill. The commission shall set the fee for sludge or similar
 2-27 waste applied to the land for beneficial use on a dry weight basis
 2-28 and for solid waste received at an incinerator or a shredding and
 2-29 composting facility at half the fee set for solid waste received for
 2-30 disposal at a landfill. The commission may charge comparable fees
 2-31 for other means of solid waste disposal that are used.

2-32 (f) The commission may not charge a fee under Subsection (a)
 2-33 for source separated [~~yard waste~~] materials that are processed
 2-34 [~~composted~~] at a composting and mulch processing facility,
 2-35 including a composting and mulch processing facility located at a
 2-36 permitted landfill site. The commission shall credit any fee
 2-37 payment due under Subsection (a) for any material received and
 2-38 processed [~~converted~~] to compost or mulch product at the facility
 2-39 [~~for composting through a composting process~~]. Any compost or
 2-40 mulch product that is produced at a [~~for~~] composting and mulch
 2-41 processing facility that is [~~not~~] used in the operation of the
 2-42 facility or is disposed of [~~as compost and is deposited~~] in a
 2-43 landfill is not exempt from the fee.

2-44 SECTION 4. Sections 361.014(a) and (b), Health and Safety
 2-45 Code, are amended to read as follows:

2-46 (a) Revenue received by the commission under Section
 2-47 361.013 shall be deposited in the state treasury to the credit of
 2-48 the commission. Of that [~~Half of the~~] revenue, 66.7 percent is
 2-49 dedicated to the commission's municipal solid waste permitting
 2-50 programs, [and] enforcement programs, and site remediation
 2-51 programs, and [related support activities and] to pay for
 2-52 activities that will enhance the state's solid waste management
 2-53 program. The commission shall issue a biennial report to the
 2-54 legislature describing in detail how the money was spent. The
 2-55 activities to enhance the state's solid waste management program
 2-56 must include [~~, including~~]:

2-57 (1) provision of funds for the municipal solid waste
 2-58 management planning fund and the municipal solid waste resource
 2-59 recovery applied research and technical assistance fund
 2-60 established by the Comprehensive Municipal Solid Waste Management,
 2-61 Resource Recovery, and Conservation Act (Chapter 363);

2-62 (2) conduct of demonstration projects and studies to
 2-63 help local governments of various populations and the private
 2-64 sector to convert to accounting systems and set rates that reflect
 2-65 the full costs of providing waste management services and are
 2-66 proportionate to the amount of waste generated;

2-67 (3) provision of technical assistance to local
 2-68 governments concerning solid waste management;

2-69 (4) establishment of a solid waste resource center in

3-1 the commission and an office of waste minimization and recycling;
3-2 (5) provision of supplemental funding to local
3-3 governments for the enforcement of this chapter, the Texas Litter
3-4 Abatement Act (Chapter 365), and Chapters 391 and 683,
3-5 Transportation Code;
3-6 (6) conduct of a statewide public awareness program
3-7 concerning solid waste management;
3-8 (7) provision of supplemental funds for other state
3-9 agencies with responsibilities concerning solid waste management,
3-10 recycling, and other initiatives with the purpose of diverting
3-11 recyclable waste from landfills;
3-12 (8) conduct of research to promote the development and
3-13 stimulation of markets for recycled waste products;
3-14 (9) creation of a state municipal solid waste
3-15 superfund, from funds appropriated, for:
3-16 (A) the cleanup of unauthorized tire dumps and
3-17 solid waste dumps for which a responsible party cannot be located or
3-18 is not immediately financially able to provide the cleanup;
3-19 (B) the cleanup or proper closure of abandoned or
3-20 contaminated municipal solid waste sites for which a responsible
3-21 party is not immediately financially able to provide the cleanup;
3-22 and
3-23 (C) remediation, cleanup, and proper closure of
3-24 unauthorized recycling sites for which a responsible party is not
3-25 immediately financially able to perform the remediation, cleanup,
3-26 and closure;
3-27 (10) provision of funds to mitigate the economic and
3-28 environmental impacts of lead-acid battery recycling activities on
3-29 local governments; and
3-30 (11) provision of funds for the conduct of research by
3-31 a public or private entity to assist the state in developing new
3-32 technologies and methods to reduce the amount of municipal waste
3-33 disposed of in landfills.
3-34 (b) Of [~~Half of~~] the revenue received by the commission
3-35 under Section 361.013, 33.3 percent is dedicated to local and
3-36 regional solid waste projects consistent with regional plans
3-37 approved by the commission in accordance with this chapter and to
3-38 update and maintain those plans. Those revenues shall be allocated
3-39 to municipal solid waste geographic planning regions for use by
3-40 local governments and regional planning commissions according to a
3-41 formula established by the commission that takes into account
3-42 population, area, solid waste fee generation, and public health
3-43 needs. Each planning region shall issue a biennial report to the
3-44 legislature detailing how the revenue is spent. A project or
3-45 service funded under this subsection must promote cooperation
3-46 between public and private entities and may not be otherwise
3-47 readily available or create a competitive advantage over a private
3-48 industry that provides recycling or solid waste services.
3-49 SECTION 5. Section 361.133, Health and Safety Code, is
3-50 amended by adding Subsection (c-1) to read as follows:
3-51 (c-1) Notwithstanding Subsection (c), money in the account
3-52 attributable to fees imposed under Section 361.138 may be used for
3-53 environmental remediation at the site of a closed battery recycling
3-54 facility located in the municipal boundaries of a municipality if
3-55 the municipality submits to the commission a voluntary compliance
3-56 plan for the site and is paying or has paid for part of the costs of
3-57 the environmental remediation of the site. This subsection expires
3-58 September 30, 2014.
3-59 SECTION 6. Section 771.0711(c), Health and Safety Code, is
3-60 amended to read as follows:
3-61 (c) Money collected under Subsection (b) may be used only
3-62 for services related to 9-1-1 services, including automatic number
3-63 identification and automatic location information services, or as
3-64 authorized by Section 771.079(c). Not later than the 15th day after
3-65 the end of the month in which the money is collected, the commission
3-66 shall distribute to each emergency communication district that does
3-67 not participate in the state system a portion of the money that
3-68 bears the same proportion to the total amount collected that the
3-69 population of the area served by the district bears to the

4-1 population of the state. The remaining money collected under
4-2 Subsection (b) shall be deposited to the 9-1-1 services fee
4-3 account.

4-4 SECTION 7. Section 771.079, Health and Safety Code, is
4-5 amended by amending Subsection (c) and adding Subsection (c-1) to
4-6 read as follows:

4-7 (c) Except as provided by Subsection (c-1), money [Money] in
4-8 the account may be appropriated only to the commission for
4-9 planning, development, provision, or enhancement of the
4-10 effectiveness of 9-1-1 service or for contracts with regional
4-11 planning commissions for 9-1-1 service, including for the purposes
4-12 of:

4-13 (1) maintaining 9-1-1 service levels while providing
4-14 for a transition to a system capable of addressing newer
4-15 technologies and capable of addressing other needs;

4-16 (2) planning and deploying statewide, regional, and
4-17 local emergency network systems; and

4-18 (3) updating geospatial mapping technologies.

4-19 (c-1) The legislature may appropriate money from the
4-20 account to provide assistance to volunteer fire departments under
4-21 Subchapter G, Chapter 614, Government Code, only if:

4-22 (1) the purposes described by Subsection (c) have been
4-23 accomplished or are fully funded for the fiscal period for which an
4-24 appropriation under this subsection is made; and

4-25 (2) all other sources of revenue dedicated for the
4-26 purposes of providing assistance to volunteer fire departments
4-27 under Subchapter G, Chapter 614, Government Code, are obligated for
4-28 the fiscal period for which an appropriation under this subsection
4-29 is made.

4-30 SECTION 8. Section 780.003(a), Health and Safety Code, is
4-31 amended to read as follows:

4-32 (a) The designated trauma facility and emergency medical
4-33 services account is created as a dedicated account in the general
4-34 revenue fund of the state treasury. Money in the account may be
4-35 appropriated only to:

4-36 (1) the department for the purposes described by
4-37 Section 780.004; or

4-38 (2) the Texas Higher Education Coordinating Board for
4-39 graduate-level:

4-40 (A) medical education programs; or

4-41 (B) nursing education programs.

4-42 SECTION 9. Section 2007.002, Insurance Code, is amended to
4-43 read as follows:

4-44 Sec. 2007.002. ASSESSMENT. The comptroller shall assess
4-45 against all insurers to which this chapter applies amounts for each
4-46 state fiscal year necessary, as determined by the commissioner, to
4-47 collect a combined total equal to the lesser of the total amount
4-48 that the General Appropriations Act appropriates from the volunteer
4-49 fire department assistance fund account in the general revenue fund
4-50 for that state fiscal year and [of] \$30 million [for each 12-month
4-51 period].

4-52 SECTION 10. Section 81.067(c), Natural Resources Code, is
4-53 amended to read as follows:

4-54 (c) The fund consists of:

4-55 (1) proceeds from bonds and other financial security
4-56 required by this chapter and benefits under well-specific plugging
4-57 insurance policies described by Section 91.104(c) that are paid to
4-58 the state as contingent beneficiary of the policies, subject to the
4-59 refund provisions of Section 91.1091, if applicable;

4-60 (2) private contributions, including contributions
4-61 made under Section 89.084;

4-62 (3) expenses collected under Section 89.083;

4-63 (4) fees imposed under Section 85.2021;

4-64 (5) costs recovered under Section 91.457 or 91.459;

4-65 (6) proceeds collected under Sections 89.085 and
4-66 91.115;

4-67 (7) interest earned on the funds deposited in the
4-68 fund;

4-69 (8) oil and gas waste hauler permit application fees

- 5-1 collected under Section 29.015, Water Code;
 5-2 (9) costs recovered under Section 91.113(f);
 5-3 (10) hazardous oil and gas waste generation fees
 5-4 collected under Section 91.605;
 5-5 (11) oil-field cleanup regulatory fees on oil
 5-6 collected under Section 81.116;
 5-7 (12) oil-field cleanup regulatory fees on gas
 5-8 collected under Section 81.117;
 5-9 (13) fees for a reissued certificate collected under
 5-10 Section 91.707;
 5-11 (14) fees collected under Section 91.1013;
 5-12 (15) fees collected under Section 89.088;
 5-13 (16) fees collected under Section 91.142;
 5-14 (17) fees collected under Section 91.654;
 5-15 (18) costs recovered under Sections 91.656 and 91.657;
 5-16 (19) two-thirds of the fees collected under Section
 5-17 81.0521;
 5-18 (20) fees collected under Sections 89.024 and 89.026;
 5-19 (21) legislative appropriations; ~~and~~
 5-20 (22) any surcharges collected under Section 81.070;
 5-21 and
 5-22 (23) fees collected under Section 91.0115.

5-23 SECTION 11. Section 81.068, Natural Resources Code, is
 5-24 amended to read as follows:

5-25 Sec. 81.068. PURPOSES ~~[PURPOSE]~~ OF OIL AND GAS REGULATION
 5-26 AND CLEANUP FUND. Money in the oil and gas regulation and cleanup
 5-27 fund may be used by the commission or its employees or agents for
 5-28 any purpose related to the regulation of oil and gas development,
 5-29 including oil and gas monitoring and inspections, oil and gas
 5-30 remediation, and oil and gas well plugging, the study and
 5-31 evaluation of electronic access to geologic data and surface casing
 5-32 depths necessary to protect usable groundwater in this state,
 5-33 alternative fuels programs under Section 81.0681, public
 5-34 information and services related to those activities, and
 5-35 administrative costs and state benefits for personnel involved in
 5-36 those activities.

5-37 SECTION 12. Subchapter C, Chapter 81, Natural Resources
 5-38 Code, is amended by adding Section 81.0681 to read as follows:

5-39 Sec. 81.0681. ALTERNATIVE FUELS PROGRAMS. (a) The
 5-40 commission may adopt all necessary rules relating to activities
 5-41 regarding the use of alternative fuels that are or have the
 5-42 potential to be effective in improving the air quality, energy
 5-43 security, or economy of this state.

5-44 (b) The commission may use the oil and gas regulation and
 5-45 cleanup fund to pay for activities relating to the use of
 5-46 alternative fuels, including direct and indirect costs relating to:

5-47 (1) researching all possible uses of liquefied
 5-48 petroleum gas and natural gas as alternative fuels;

5-49 (2) researching, developing, and implementing
 5-50 marketing, advertising, and informational programs relating to
 5-51 alternative fuels to make alternative fuels more understandable and
 5-52 readily available to consumers;

5-53 (3) developing and implementing conservation and
 5-54 distribution plans to minimize the frequency and severity of
 5-55 disruptions in the supply of alternative fuels;

5-56 (4) developing a public information plan that will
 5-57 provide advisory services relating to alternative fuels to
 5-58 consumers;

5-59 (5) developing voluntary participation plans to
 5-60 promote the use of alternative fuels by federal, state, and local
 5-61 agencies; and

5-62 (6) other functions the commission determines are
 5-63 necessary to add a program established by the commission for the
 5-64 purpose of promoting the use of liquefied petroleum gas, natural
 5-65 gas, or other alternative fuels.

5-66 SECTION 13. Section 91.0115, Natural Resources Code, is
 5-67 amended by amending Subsection (c) and adding Subsection (d) to
 5-68 read as follows:

5-69 (c) The commission shall charge a fee not to exceed \$75, in

6-1 addition to the fee required by Subsection (b), for processing a
 6-2 request to expedite a letter of determination. [~~Money collected~~
 6-3 ~~under this subsection may be used to study and evaluate electronic~~
 6-4 ~~access to geologic data and surface casing depths under Section~~
 6-5 ~~91.020.~~]

6-6 (d) The fees collected under this section shall be deposited
 6-7 in the oil and gas regulation and cleanup fund.

6-8 SECTION 14. Section 151.801(c-1), Tax Code, is amended to
 6-9 read as follows:

6-10 (c-1) Except as provided by this subsection, the [The]
 6-11 comptroller may not credit to the Parks and Wildlife Department or
 6-12 the Texas Historical Commission any amounts under this section that
 6-13 are in excess of the amounts appropriated to the department or
 6-14 commission for that biennium[~~, less any other amounts to which the~~
 6-15 ~~department or commission is entitled].~~ In addition to amounts
 6-16 appropriated to the Parks and Wildlife Department from the proceeds
 6-17 described by Subsection (c), the comptroller shall transfer to
 6-18 appropriate department accounts amounts from those proceeds
 6-19 sufficient to fund the state contributions for employee benefits of
 6-20 Parks and Wildlife Department employees whose salaries or wages are
 6-21 paid from department accounts receiving the transfers.

6-22 SECTION 15. Subchapter G, Chapter 504, Transportation Code,
 6-23 is amended by adding Section 504.6012 to read as follows:

6-24 Sec. 504.6012. ELIMINATION OF DEDICATED REVENUE ACCOUNTS;
 6-25 REVENUES IN TRUST. (a) Notwithstanding any other provision of this
 6-26 subchapter, not later than September 30, 2013, the comptroller
 6-27 shall eliminate all dedicated accounts established for specialty
 6-28 license plates under this subchapter and shall set aside the
 6-29 balances of those dedicated accounts so that the balances may be
 6-30 appropriated only for the purposes intended as provided by the
 6-31 dedications.

6-32 (b) On and after September 1, 2013, the portion of a fee
 6-33 payable under this subchapter that is designated for deposit to a
 6-34 dedicated account shall be paid instead to the credit of an account
 6-35 in a trust fund created by the comptroller outside the general
 6-36 revenue fund. The comptroller shall administer the trust fund and
 6-37 accounts and may allocate the corpus and earnings on each account
 6-38 only in accordance with the dedications of the revenue deposited to
 6-39 the trust fund accounts.

6-40 SECTION 16. Subchapter Z, Chapter 39, Utilities Code, is
 6-41 amended by adding Section 39.9039 to read as follows:

6-42 Sec. 39.9039. DISBURSEMENT OF SYSTEM BENEFIT FUND BALANCE.
 6-43 (a) Money in the system benefit fund may be appropriated for the
 6-44 purpose of returning the money to payers of the fee imposed under
 6-45 Section 39.903 as provided by this section.

6-46 (b) After consultation with the comptroller, the commission
 6-47 by rule shall establish a system for transmission and distribution
 6-48 utilities, retail electric providers, municipally owned utilities,
 6-49 or electric cooperatives to credit retail electric customers' bills
 6-50 in amounts necessary to expend in accordance with this section and
 6-51 as fully as practicable any portion of the system benefit fund
 6-52 appropriated to the commission for that purpose.

6-53 (c) The commission shall direct the comptroller to disburse
 6-54 as much as practicable of the appropriated money described by
 6-55 Subsection (b) as soon as practicable in one or more installments to
 6-56 transmission and distribution utilities, retail electric
 6-57 providers, municipally owned utilities, or electric cooperatives
 6-58 under the system established under Subsection (b) so that each
 6-59 entity receives an amount necessary to give each retail electric
 6-60 customer that has customer choice an equal credit so that the total
 6-61 of the credits equals the total amount disbursed.

6-62 (d) The commission by rule shall require each entity
 6-63 receiving disbursements under this section to ensure that retail
 6-64 electric customers that have customer choice, through one or more
 6-65 billings for electric services, each receive equal credits that, in
 6-66 the aggregate, equal the amount of the disbursements received under
 6-67 this section, less a reasonable amount to reimburse the entity for
 6-68 administering this section as established by the commission in an
 6-69 amount not to exceed two percent of the disbursements. The

7-1 commission by rule shall ensure that the customer is provided, with
 7-2 the customer's bill, notice that the refund of the system benefit
 7-3 fund fee is "provided by the Texas Legislature."

7-4 (e) The comptroller and commission jointly shall issue a
 7-5 report on the progress made in developing and implementing the
 7-6 system required to be established by Subsection (b), and in
 7-7 disbursing the amount appropriated from the system benefit fund
 7-8 through that system, not later than December 15 of each fiscal year
 7-9 for which the money is appropriated. The report issued under this
 7-10 subsection must be presented in writing to the governor, the
 7-11 lieutenant governor, the speaker of the house of representatives,
 7-12 and the standing committees of the senate and house of
 7-13 representatives having primary jurisdiction over electric
 7-14 utilities.

7-15 SECTION 17. Subchapter I, Chapter 26, Water Code, is
 7-16 amended by adding Section 26.35745 to read as follows:

7-17 Sec. 26.35745. REPORT ON CORRECTIVE ACTIONS FOR PETROLEUM
 7-18 CONTAMINATED SITES AND FEES NECESSARY TO CONCLUDE PROGRAM. (a) The
 7-19 commission annually shall prepare a report regarding the status of
 7-20 corrective actions for sites reported to the commission under this
 7-21 subchapter as having had a release needing corrective action. The
 7-22 commission must issue the report to the legislature on or before
 7-23 November 1 of each year.

7-24 (b) Regarding sites reported to the commission under this
 7-25 subchapter as having had a release needing corrective action on or
 7-26 before December 22, 1998, and that remain in the commission's PST
 7-27 State-Lead Program on September 1, 2013, the report must include:

7-28 (1) the total number of sites;
 7-29 (2) the total number of sites for which corrective
 7-30 action is ongoing;
 7-31 (3) the total number of sites monitored;
 7-32 (4) the projected costs of the corrective actions;
 7-33 (5) the projected costs of monitoring;
 7-34 (6) a projected timeline for issuing closure letters
 7-35 under this subchapter for all of the sites; and
 7-36 (7) for each site, the corrective action activities
 7-37 proposed and completed during the preceding state fiscal year.

7-38 (c) Regarding sites reported to the commission under this
 7-39 subchapter as having had a release needing corrective action after
 7-40 December 22, 1998, for which the commission has elected to assume
 7-41 responsibility for undertaking corrective action under this
 7-42 subchapter, the report must include:

7-43 (1) the current status of each site;
 7-44 (2) the costs associated with the corrective action
 7-45 activities performed during the preceding state fiscal year for the
 7-46 sites;
 7-47 (3) amounts recovered under Section 26.355 related to
 7-48 the sites; and
 7-49 (4) enforcement actions taken against owners and
 7-50 operators related to those sites.

7-51 (d) The commission shall investigate the amount of fees that
 7-52 would be necessary to cover the costs necessary to conclude the
 7-53 programs and activities under this subchapter before September 1,
 7-54 2021. The commission shall include in the annual report under this
 7-55 section the conclusions of the investigation and the commission's
 7-56 recommendations regarding the fees and programs and activities.

7-57 (e) This section expires September 1, 2021.

7-58 SECTION 18. The balance of the system benefit fund, to the
 7-59 extent that balance is not otherwise appropriated by an Act of the
 7-60 82nd Legislature or by an Act of the 83rd Legislature, Regular
 7-61 Session, 2013, is appropriated to the comptroller of public
 7-62 accounts for the period beginning on the effective date of this Act
 7-63 and ending August 31, 2014, for the purpose of returning the money
 7-64 to payers of the fee imposed under Section 39.903, Utilities Code,
 7-65 as provided by Section 39.9039, Utilities Code, as added by this
 7-66 Act.

7-67 SECTION 19. This Act takes effect immediately if it
 7-68 receives a vote of two-thirds of all the members elected to each
 7-69 house, as provided by Section 39, Article III, Texas Constitution.

8-1 If this Act does not receive the vote necessary for immediate
8-2 effect, this Act takes effect September 1, 2013.

8-3

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