

By: Springer, Isaac, Guillen

H.B. No. 239

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

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

SECTION 2. 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

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1 Act takes effect September 1, 2015.