

By: Bell of Montgomery, Walle, Capriglione,  
Thompson of Brazoria, Bonnen, et al.

H.B. No. 3294

A BILL TO BE ENTITLED

AN ACT

relating to funding for the Texas emissions reduction plan.

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

SECTION 1. Section 501.138, Transportation Code, is amended by amending Subsections (b-1), (b-2), and (b-3) and adding Subsection (b-4) to read as follows:

(b-1) Except as provided by Subsection (b-4), fees ~~[Fees]~~ collected under Subsection (b) to be sent to the comptroller shall be deposited to the credit of the Texas ~~[Mobility Fund, except that \$5 of each fee imposed under Subsection (a)(1) and deposited on or after September 1, 2008, and before September 1, 2015, shall be deposited to the credit of the Texas]~~ emissions reduction plan fund.

(b-2) The comptroller shall establish a record of the amount of the fees deposited to the credit of the Texas emissions reduction plan fund ~~[Mobility Fund]~~ under Subsection (b-1). On or before the fifth workday of each month, the Texas Department of Transportation shall remit to the comptroller for deposit to the credit of the Texas Mobility Fund ~~[emissions reduction plan fund]~~ an amount of money equal to the amount of the fees deposited by the comptroller to the credit of the Texas emissions reduction plan fund ~~[Mobility Fund]~~ under Subsection (b-1) in the preceding month. The Texas Department of Transportation shall use for remittance to the comptroller as required by this subsection money in the state

1 highway fund that is not required to be used for a purpose specified  
2 by Section 7-a, Article VIII, Texas Constitution, and may not use  
3 for that remittance money received by this state under the  
4 congestion mitigation and air quality improvement program  
5 established under 23 U.S.C. Section 149.

6 (b-3) This subsection and Subsections (b-1) and  
7 ~~[Subsection]~~ (b-2) expire on the last day of the state fiscal  
8 biennium during which the Texas Commission on Environmental Quality  
9 publishes in the Texas Register the notice required by Section  
10 382.037, Health and Safety Code.

11 (b-4) Fees collected under Subsection (b) to be sent to the  
12 comptroller shall be deposited to the credit of the Texas Mobility  
13 Fund if the fees are collected on or after the last day of the state  
14 fiscal biennium during which the Texas Commission on Environmental  
15 Quality publishes in the Texas Register the notice required by  
16 Section 382.037, Health and Safety Code.

17 SECTION 2. The change in law made by this Act to Section  
18 501.138, Transportation Code, applies only to a fee collected on or  
19 after the effective date of this Act. A fee collected before the  
20 effective date of this Act is governed by the law in effect when the  
21 fee was collected, and the former law is continued in effect for  
22 that purpose.

23 SECTION 3. This Act takes effect September 1, 2021.