

By: Hancock, et al.
(Thompson of Brazoria)

S.B. No. 876

Substitute the following for S.B. No. 876:

By: Ashby

C.S.S.B. No. 876

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the county in which a person may apply for the
3 registration of and title for a motor vehicle.

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

5 SECTION 1. Section 501.023(a), Transportation Code, is
6 amended to read as follows:

7 (a) The owner of a motor vehicle must present identification
8 and apply for a title as prescribed by the department, unless
9 otherwise exempted by law. To obtain a title, the owner must
10 apply:

11 (1) to the county assessor-collector in the county in
12 which:

13 (A) the owner is domiciled; or

14 (B) the motor vehicle is purchased or encumbered;

15 or

16 (2) to any ~~the~~ county assessor-collector ~~[of a~~
17 ~~county]~~ who is willing to accept the application ~~[if the county~~
18 ~~assessor-collector's office of the county in which the owner~~
19 ~~resides is closed or may be closed for a protracted period of time~~
20 ~~as defined by the department].~~

21 SECTION 2. Section 501.0234(d), Transportation Code, is
22 amended to read as follows:

23 (d) A seller who applies for the registration or a title for
24 a motor vehicle under Subsection (a)(1) may ~~shall~~ apply:

1 (1) to the county assessor-collector of the county in
2 which:

3 (A) the owner is domiciled; or

4 (B) the motor vehicle is purchased or encumbered;

5 or

6 (2) to any [in the] county assessor-collector who is
7 willing to accept the application [as directed by the purchaser
8 from the counties set forth in Section 501.023].

9 SECTION 3. Section 501.030(e), Transportation Code, is
10 amended to read as follows:

11 (e) Before a motor vehicle that is required to be registered
12 in this state and that is brought into this state by a person other
13 than a manufacturer or importer may be bargained, sold,
14 transferred, or delivered with an intent to pass an interest in the
15 vehicle or encumbered by a lien, the owner must apply for a title in
16 a manner prescribed by the department to the county
17 assessor-collector for the county in which the transaction is to
18 take place or to any assessor-collector who is willing to accept the
19 application. The assessor-collector may not issue a title receipt
20 unless the applicant delivers to the assessor-collector
21 satisfactory evidence showing that the applicant is the owner of
22 the vehicle and that the vehicle is free of any undisclosed liens.

23 SECTION 4. Section 502.0023(b), Transportation Code, is
24 amended to read as follows:

25 (b) A system of extended registration under this section
26 must allow the owner of a commercial fleet to register[+]

27 [(-)] an entire commercial fleet in the county of the

1 owner's residence or principal place of business or in any county in
2 which the county assessor-collector is willing to accept the
3 registration~~[, or~~

4 [~~(2) the motor vehicles in a commercial fleet that are~~
5 ~~operated most regularly in the same county]~~.

6 SECTION 5. Section 502.040(b), Transportation Code, is
7 amended to read as follows:

8 (b) The application must be accompanied by personal
9 identification as determined by department rule and made in a
10 manner prescribed by the department through:

11 (1) [~~through~~] the county assessor-collector of the
12 county in which the owner resides; or

13 (2) any [~~if the office of that assessor-collector is~~
14 ~~closed, or may be closed for a protracted period of time, as defined~~
15 ~~by department rule, through a]~~ county assessor-collector who is
16 willing to accept the application.

17 SECTION 6. Section 502.041(a), Transportation Code, is
18 amended to read as follows:

19 (a) Notwithstanding Section 502.040, the owner of a vehicle
20 may concurrently apply for a title and for registration through the
21 county assessor-collector of the county in which:

22 (1) the owner resides; ~~[or]~~

23 (2) the vehicle is purchased or encumbered; or

24 (3) the county assessor-collector is willing to accept
25 the application.

26 SECTION 7. Section 502.407(c), Transportation Code, is
27 amended to read as follows:

1 (c) It is a defense to prosecution under this section that
2 at the time of the offense:

3 (1) the office of the county assessor-collector for
4 the county in which the owner of the vehicle resided was closed for
5 a protracted period of time in accordance with department rules
6 [~~Section 502.040(b)(2)~~]; and

7 (2) the vehicle's registration was expired for 30
8 working days or less.

9 SECTION 8. The heading to Section 520.006, Transportation
10 Code, is amended to read as follows:

11 Sec. 520.006. COLLECTION OF FEES ON BEHALF OF ANOTHER
12 ASSESSOR-COLLECTOR; COMPENSATION OF ASSESSOR-COLLECTOR.

13 SECTION 9. Sections 520.006(a-1) and (b), Transportation
14 Code, are amended to read as follows:

15 (a-1) A county assessor-collector collecting fees on behalf
16 of another [~~a~~] county assessor-collector [~~whose office is closed or~~
17 ~~may be closed for a protracted period of time as defined by the~~
18 ~~department~~] for purposes of Section 501.023, 501.0234, 501.030,
19 502.0023, [or] 502.040, or 502.041 shall collect all taxes, fees,
20 and other revenue based on the vehicle owner's county of residence.
21 The vehicle owner's county of residence shall be the recipient of
22 all taxes, fees, and other revenue collected as a result of the
23 transaction, except that the county processing the application may
24 retain the portion of the title application fee under Section
25 501.138 and the processing and handling fee under Section 502.1911
26 that the tax assessor-collector is authorized to [may] retain [the
27 ~~commission for fees collected, but shall allocate the fees to the~~

1 ~~county that is closed or may be closed for a protracted period of~~
2 ~~time].~~

3 (b) A county assessor-collector who is compensated under
4 this section for processing a transaction shall pay the entire
5 expense of issuing registration receipts and license plates under
6 Chapter 501 or 502 from the compensation allowed under this
7 section.

8 SECTION 10. Section 521.144(c), Transportation Code, is
9 amended to read as follows:

10 (c) A registration receipt issued by a ~~the~~ county
11 assessor-collector in this state ~~[of the county in which the new~~
12 ~~resident resides]~~ is satisfactory evidence that a motor vehicle is
13 registered under Chapter 502.

14 SECTION 11. The following provisions of the Transportation
15 Code are repealed:

- 16 (1) Section 501.023(e); and
17 (2) Section 501.0234(e).

18 SECTION 12. Section 502.407(c), Transportation Code, as
19 amended by this Act, applies only to an offense committed on or
20 after the effective date of this Act. An offense committed before
21 the effective date of this Act is governed by the law in effect when
22 the offense was committed, and the former law is continued in effect
23 for that purpose. For purposes of this section, an offense was
24 committed before the effective date of this Act if any element of
25 the offense occurred before that date.

26 SECTION 13. This Act takes effect September 1, 2021.