

1-1 By: Hancock, Bettencourt, West S.B. No. 876  
 1-2 (In the Senate - Filed March 1, 2021; March 11, 2021, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 April 6, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 1; April 6, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hancock	X			
1-9 Nichols	X			
1-10 Campbell	X			
1-11 Creighton	X			
1-12 Johnson	X			
1-13 Menéndez		X		
1-14 Paxton	X			
1-15 Schwertner	X			
1-16 Whitmire	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 876 By: Hancock

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the county in which a person may apply for the  
 1-22 registration of and title for a motor vehicle.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 501.023(a), Transportation Code, is  
 1-25 amended to read as follows:

1-26 (a) The owner of a motor vehicle must present identification  
 1-27 and apply for a title as prescribed by the department, unless  
 1-28 otherwise exempted by law. To obtain a title, the owner must  
 1-29 apply:

1-30 (1) to the county assessor-collector in the county in  
 1-31 which:

- 1-32 (A) the owner is domiciled; or
- 1-33 (B) the motor vehicle is purchased or encumbered;

1-34 or

1-35 (2) to any ~~the~~ county assessor-collector ~~[of a~~  
 1-36 ~~county]~~ who is willing to accept the application ~~[if the county~~  
 1-37 ~~assessor-collector's office of the county in which the owner~~  
 1-38 ~~resides is closed or may be closed for a protracted period of time~~  
 1-39 ~~as defined by the department].~~

1-40 SECTION 2. Section 501.0234(d), Transportation Code, is  
 1-41 amended to read as follows:

1-42 (d) A seller who applies for the registration or a title for  
 1-43 a motor vehicle under Subsection (a)(1) may ~~shall~~ apply:

1-44 (1) to the county assessor-collector of the county in  
 1-45 which:

- 1-46 (A) the owner is domiciled; or
- 1-47 (B) the motor vehicle is purchased or encumbered;

1-48 or

1-49 (2) to any ~~in the~~ county assessor-collector who is  
 1-50 willing to accept the application ~~[as directed by the purchaser~~  
 1-51 ~~from the counties set forth in Section 501.023].~~

1-52 SECTION 3. Section 501.030(e), Transportation Code, is  
 1-53 amended to read as follows:

1-54 (e) Before a motor vehicle that is required to be registered  
 1-55 in this state and that is brought into this state by a person other  
 1-56 than a manufacturer or importer may be bargained, sold,  
 1-57 transferred, or delivered with an intent to pass an interest in the  
 1-58 vehicle or encumbered by a lien, the owner must apply for a title in  
 1-59 a manner prescribed by the department to the county  
 1-60 assessor-collector for the county in which the transaction is to

2-1 take place or to any assessor-collector who is willing to accept the  
 2-2 application. The assessor-collector may not issue a title receipt  
 2-3 unless the applicant delivers to the assessor-collector  
 2-4 satisfactory evidence showing that the applicant is the owner of  
 2-5 the vehicle and that the vehicle is free of any undisclosed liens.

2-6 SECTION 4. Section 502.0023(b), Transportation Code, is  
 2-7 amended to read as follows:

2-8 (b) A system of extended registration under this section  
 2-9 must allow the owner of a commercial fleet to register[+]

2-10 [~~(1)~~] an entire commercial fleet in the county of the  
 2-11 owner's residence or principal place of business or in any county in  
 2-12 which the county assessor-collector is willing to accept the  
 2-13 registration[, or

2-14 [~~(2)~~ the motor vehicles in a commercial fleet that are  
 2-15 operated most regularly in the same county].

2-16 SECTION 5. Section 502.040(b), Transportation Code, is  
 2-17 amended to read as follows:

2-18 (b) The application must be accompanied by personal  
 2-19 identification as determined by department rule and made in a  
 2-20 manner prescribed by the department through:

2-21 (1) [~~through~~] the county assessor-collector of the  
 2-22 county in which the owner resides; or

2-23 (2) any [~~if the office of that assessor-collector is~~  
 2-24 ~~closed, or may be closed for a protracted period of time, as defined~~  
 2-25 ~~by department rule, through a~~] county assessor-collector who is  
 2-26 willing to accept the application.

2-27 SECTION 6. Section 502.041(a), Transportation Code, is  
 2-28 amended to read as follows:

2-29 (a) Notwithstanding Section 502.040, the owner of a vehicle  
 2-30 may concurrently apply for a title and for registration through the  
 2-31 county assessor-collector of the county in which:

2-32 (1) the owner resides; [~~or~~]

2-33 (2) the vehicle is purchased or encumbered; or

2-34 (3) the county assessor-collector is willing to accept  
 2-35 the application.

2-36 SECTION 7. Section 502.407(c), Transportation Code, is  
 2-37 amended to read as follows:

2-38 (c) It is a defense to prosecution under this section that  
 2-39 at the time of the offense:

2-40 (1) the office of the county assessor-collector for  
 2-41 the county in which the owner of the vehicle resided was closed for  
 2-42 a protracted period of time in accordance with department rules  
 2-43 [~~Section 502.040(b)(2)~~]; and

2-44 (2) the vehicle's registration was expired for 30  
 2-45 working days or less.

2-46 SECTION 8. The heading to Section 520.006, Transportation  
 2-47 Code, is amended to read as follows:

2-48 Sec. 520.006. COLLECTION OF FEES ON BEHALF OF ANOTHER  
 2-49 ASSESSOR-COLLECTOR; COMPENSATION OF ASSESSOR-COLLECTOR.

2-50 SECTION 9. Sections 520.006(a-1) and (b), Transportation  
 2-51 Code, are amended to read as follows:

2-52 (a-1) A county assessor-collector collecting fees on behalf  
 2-53 of another [~~a~~] county assessor-collector [~~whose office is closed or~~  
 2-54 ~~may be closed for a protracted period of time as defined by the~~  
 2-55 ~~department~~] for purposes of Section 501.023, 501.0234, 501.030,  
 2-56 502.0023, [~~or~~] 502.040, or 502.041 shall collect all taxes, fees,  
 2-57 and other revenue based on the vehicle owner's county of residence.  
 2-58 The vehicle owner's county of residence shall be the recipient of  
 2-59 all taxes, fees, and other revenue collected as a result of the  
 2-60 transaction, except that the county processing the application may  
 2-61 retain the portion of the title application fee under Section  
 2-62 501.138 and the processing and handling fee under Section 502.1911  
 2-63 that the tax assessor-collector is authorized to [~~may~~] retain [~~the~~  
 2-64 ~~commission for fees collected, but shall allocate the fees to the~~  
 2-65 ~~county that is closed or may be closed for a protracted period of~~  
 2-66 ~~time~~].

2-67 (b) A county assessor-collector who is compensated under  
 2-68 this section for processing a transaction shall pay the entire  
 2-69 expense of issuing registration receipts and license plates under

3-1 Chapter 501 or 502 from the compensation allowed under this  
3-2 section.

3-3 SECTION 10. Section 521.144(c), Transportation Code, is  
3-4 amended to read as follows:

3-5 (c) A registration receipt issued by a ~~[the]~~ county  
3-6 assessor-collector in this state ~~[of the county in which the new~~  
3-7 ~~resident resides]~~ is satisfactory evidence that a motor vehicle is  
3-8 registered under Chapter 502.

3-9 SECTION 11. The following provisions of the Transportation  
3-10 Code are repealed:

3-11 (1) Section 501.023(e); and

3-12 (2) Section 501.0234(e).

3-13 SECTION 12. Section 502.407(c), Transportation Code, as  
3-14 amended by this Act, applies only to an offense committed on or  
3-15 after the effective date of this Act. An offense committed before  
3-16 the effective date of this Act is governed by the law in effect when  
3-17 the offense was committed, and the former law is continued in effect  
3-18 for that purpose. For purposes of this section, an offense was  
3-19 committed before the effective date of this Act if any element of  
3-20 the offense occurred before that date.

3-21 SECTION 13. This Act takes effect September 1, 2021.

3-22 \* \* \* \* \*