

## **BILL ANALYSIS**

S.B. 821  
By: Lindsay  
Transportation  
Committee Report (Amended)

### **BACKGROUND AND PURPOSE**

The 78th Legislature, Regular Session, 2003, passed S.B. 1464, which provided for the collection of tolls and assessment of administrative costs in collecting tolls in populous counties. The intent of the legislation was to allow the county attorney's office to recoup a \$1.00 administrative cost on all toll road collections, including collections made via demand letter. However, the bill required a decision by a hearing examiner before the \$1.00 cost could be collected. Such a decision only happens after a hearing has taken place. Hearings are not held frequently. As proposed, S.B. 821 allows the \$1.00 fee to be collected in any event of nonpayment of a required toll and not just in instances determined by a hearing examiner.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 284, Transportation Code, by adding Section 284.0691, as follows:

Sec. 284.0691. ADDITIONAL ADMINISTRATIVE COST IN CERTAIN COUNTIES.  
(a) Authorizes a county with a population of 3.3 million or more to impose, in addition to other costs, \$1 as an administrative cost associated with collecting a toll or charge for each event of nonpayment of a required toll or charge imposed under Section 284.069 (Tolls and Charges), Transportation Code.

(b) Requires money collected under Subsection (a) to be deposited in the county treasury in a special fund to be administered by the county attorney. Requires expenditures from the fund to be at the sole discretion of the attorney and authorizes expenditures be used only to defray the salaries and expenses of the attorney's office, but in no event may the county attorney supplement his or her own salary from the fund.

SECTION 2. Repealer: Sections 284.208(d) and (e) (Decision of Hearing Officer), Transportation Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005.

### **EXPLANATION OF AMENDMENTS**

The committee amendment amends Section 284.2031 (c), Transportation Code by inserting a bracket to impose a revenue dedication provision on counties with a population of 3.3 million or more.

