

By: Bonnen

H.B. No. 2481

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the Texas emissions reduction plan, including the use  
3 of money currently dedicated to the Texas emissions reduction plan  
4 fund.

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

6 SECTION 1. Section 386.002, Health and Safety Code, is  
7 amended to read as follows:

8 Sec. 386.002. EXPIRATION. This chapter expires August 31,  
9 2013 [~~2008~~].

10 SECTION 2. Section 386.252(a), Health and Safety Code, is  
11 amended to read as follows:

12 (a) Money in the fund may be used only to implement and  
13 administer programs established under the plan and shall be  
14 allocated as follows:

15 (1) for the diesel emissions reduction incentive  
16 program, 64 [~~87.5~~] percent of the money in the fund, of which not  
17 more than 10 percent may be used for on-road diesel purchase or  
18 lease incentives;

19 (2) for the new technology research and development  
20 program, 33 [~~9.5~~] percent of the money in the fund, of which up to  
21 \$250,000 is allocated for administration, up to \$200,000 is  
22 allocated for a health effects study, \$500,000 is to be deposited in  
23 the state treasury to the credit of the clean air account created  
24 under Section 382.0622 to supplement funding for air quality

1 planning activities in affected counties, and not less than 10 [~~20~~]  
2 percent is to be allocated each year to support research related to  
3 air quality for the Houston-Galveston-Brazoria and Dallas-Fort  
4 Worth nonattainment areas by a nonprofit organization based in  
5 Houston; and

6 (3) for administrative costs incurred by the  
7 commission and the laboratory, three percent of the money in the  
8 fund.

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

12 (a) An applicant for a certificate of title, other than the  
13 state or a political subdivision of the state, must pay the county  
14 assessor-collector a fee of:

15 (1) \$33 if the applicant's residence is a county  
16 located within a nonattainment area as defined under Section 107(d)  
17 of the federal Clean Air Act (42 U.S.C. Section 7407), as amended,  
18 or is an affected county, as defined by Section 386.001, Health and  
19 Safety Code; or

20 (2) \$28 if the applicant's residence is any other  
21 county[~~, or~~

22 [~~(3) on or after September 1, 2008, \$28 regardless of~~  
23 ~~the county in which the applicant resides].~~

24 (b) The county assessor-collector shall send:

25 (1) \$5 of the fee to the county treasurer for deposit  
26 in the officers' salary fund;

27 (2) \$8 of the fee to the department:

1 (A) together with the application within the time  
2 prescribed by Section 501.023; or

3 (B) if the fee is deposited in an  
4 interest-bearing account or certificate in the county depository or  
5 invested in an investment authorized by Subchapter A, Chapter 2256,  
6 Government Code, not later than the 35th day after the date on which  
7 the fee is received; and

8 (3) the following amount to the comptroller at the  
9 time and in the manner prescribed by the comptroller:

10 (A) \$20 of the fee if the applicant's residence  
11 is a county located within a nonattainment area as defined under  
12 Section 107(d) of the federal Clean Air Act (42 U.S.C. Section  
13 7407), as amended, or is an affected county, as defined by Section  
14 386.001, Health and Safety Code; or

15 (B) \$15 of the fee if the applicant's residence  
16 is any other county. [~~or~~]

17 (b-1) [(C)] Fees collected under Subsection (b) [this  
18 subsection] to be sent to the comptroller shall be deposited [~~as~~  
19 ~~follows:~~

20 [~~(i) before September 1, 2008, to the~~  
21 ~~credit of the Texas emissions reduction fund, and~~

22 [~~(ii) after September 1, 2008,~~] to the  
23 credit of the Texas Mobility Fund.

24 (b-2) A fee deposited to the credit of the Texas Mobility  
25 Fund under Subsection (b-1) may be spent only for a public  
26 transportation project described by Section 49-k(b) or (c), Article  
27 III, Texas Constitution, in the county in which the applicant

1 resides. The comptroller shall establish records of the sources  
2 and amounts of money deposited to the credit of the Texas Mobility  
3 Fund and the uses of money in the fund for purposes of determining  
4 compliance with the limitation imposed by this subsection.

5 (b-3) Promptly after receipt of notice that the comptroller  
6 has deposited a fee to the credit of the Texas Mobility Fund under  
7 Subsection (b-1), the department shall remit to the comptroller for  
8 deposit to the credit of the Texas emissions reduction plan fund an  
9 amount of money equal to the amount of the fee.

10 (b-4) This subsection and Subsection (b-3) expire September  
11 1, 2010.

12 SECTION 4. This Act takes effect September 1, 2005.