

By: Harris

S.B. No. 650

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the continuation of the Texas emissions reduction plan,
3 including the funding for the plan.

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

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

7 Sec. 386.002. EXPIRATION. This chapter expires August 31,
8 2010 [~~2008~~].

9 SECTION 2. Section 151.0515(d), Tax Code, is amended to
10 read as follows:

11 (d) This section expires September 30, 2010 [~~2008~~].

12 SECTION 3. Section 152.0215(c), Tax Code, is amended to
13 read as follows:

14 (c) This section expires September 30, 2010 [~~2008~~].

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

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

21 (1) \$33 if the applicant's residence is a county
22 located within a nonattainment area as defined under Section 107(d)
23 of the federal Clean Air Act (42 U.S.C. Section 7407), as amended,
24 or is an affected county, as defined by Section 386.001, Health and

1 Safety Code;

2 (2) \$28 if the applicant's residence is any other
3 county; or

4 (3) on or after September 1, 2010 [~~2008~~], \$28
5 regardless of the county in which the applicant resides.

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

7 (1) \$5 of the fee to the county treasurer for deposit
8 in the officers' salary fund;

9 (2) \$8 of the fee to the department:

10 (A) together with the application within the time
11 prescribed by Section 501.023; or

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

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

19 (A) \$20 of the fee if the applicant's residence
20 is a county located within a nonattainment area as defined under
21 Section 107(d) of the federal Clean Air Act (42 U.S.C. Section
22 7407), as amended, or is an affected county, as defined by Section
23 386.001, Health and Safety Code;

24 (B) \$15 of the fee if the applicant's residence
25 is any other county; or

26 (C) on or after September 1, 2010, \$15 regardless
27 of the county in which the applicant resides.

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

3 **(1)** [~~(i)~~] before September 1, 2008, to the credit of
4 the Texas emissions reduction plan fund; and

5 **(2)** on or [~~(i)~~] after September 1, 2008, to the credit
6 of the Texas Mobility Fund, except that \$5 of each fee imposed under
7 Subsection (a)(1) and deposited on or after September 1, 2008, and
8 before September 1, 2010, shall be deposited to the credit of the
9 Texas emissions reduction plan fund.

10 SECTION 5. Section 502.1675(c), Transportation Code, is
11 amended to read as follows:

12 (c) This section expires August 31, 2010 [~~2008~~].

13 SECTION 6. Section 548.256(c), Transportation Code, is
14 amended to read as follows:

15 (c) The inspection station shall collect a fee of \$225 for
16 each inspection performed under this section and shall remit the
17 fee to the department. Of each fee collected, the inspection
18 station may retain \$5 to cover administrative costs. The
19 department shall remit all fees collected under this subsection to
20 the comptroller for deposit in the Texas emissions reduction plan
21 fund. The fee imposed by this subsection does not apply to an
22 inspection performed on a vehicle owned by active duty military
23 personnel and their dependents. This subsection expires August 31,
24 2010 [~~2008~~].

25 SECTION 7. Section 548.5055(c), Transportation Code, is
26 amended to read as follows:

27 (c) This section expires August 31, 2010 [~~2008~~].

1 SECTION 8. This Act takes effect September 1, 2005.