

Amend SB 1886 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) Subchapter B, Chapter 162, Tax Code, is amended by adding Section 162.1021 to read as follows:

Sec. 162.1021. TEMPORARY REDUCTION IN TAX RATE. (a) Notwithstanding any other provision of this chapter, the tax imposed by this subchapter is reduced from 20 cents for each net gallon or fractional part on which the tax is imposed under Section 162.101 to zero cents for each net gallon or fractional part on which the tax is imposed under Section 162.101.

(b) A distributor or dealer who makes sales of gasoline at retail shall decrease the price of gasoline sold during the period in which this section is in effect to reflect the reduction in the tax. If a distributor or dealer paid tax on the gasoline sold during that period, the distributor or dealer is entitled to a credit or refund of the amount of taxes paid.

(c) If a distributor or dealer fails to decrease the price of gasoline as required by Subsection (b), the person is liable to the comptroller for a penalty in an amount equal to the total amount the person collected from the sale of gasoline during the period this section is in effect in excess of the amount the person should have collected during that period.

(d) A distributor or dealer who fails to decrease the price of gasoline as required by Subsection (a) commits an offense. An offense under this section is a Class B misdemeanor.

(e) The comptroller shall adopt rules to implement this section.

(f) The attorney general's office shall investigate a complaint relating to a violation of this section and may petition a district court for appropriate remedies.

(b) This section expires on the ninety-first day following the effective date of this section.

(c) Notwithstanding any other provision of this Act, this section takes effect immediately if this Act receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not

receive the vote necessary for this section to take effect immediately, this section takes effect on the 91st day after the last day of the legislative session.

SECTION _____. There is appropriated from the general revenue fund for the state fiscal year beginning September 1, 2007, an amount sufficient to reimburse the available school fund and the state highway fund for the amount of revenue the state does not collect from the temporary decrease in the state gasoline tax required by Section 162.1021, Tax Code.