

BILL ANALYSIS

Senate Research Center
80R2511 JD-D

S.B. 1075
By: Wentworth
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The state highway fund includes revenue from motor vehicle registration fees, federal highway funds, and the sales tax on motor lubricants. Motor fuel tax revenue is deposited to the General Revenue Fund and a portion is allocated to the state highway fund. Money in the state highway fund, whose primary purpose is to fund the construction and maintenance of the state highway system, is also used to fund many other functions of the Department of Public Safety and the Texas Department of Transportation.

As proposed, S.B. 1075 requires money in the state highway fund to be used only for improving the state highway system and the mitigation of adverse environmental effects that result directly from construction or maintenance of a state highway.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 201.115(d), Transportation Code, to authorize money in the state highway fund to be used to repay a loan under this section (Borrowing Money) if permitted by the Texas Constitution and appropriated by the legislature for that purpose, notwithstanding Section 222.001.

SECTION 2. Amends Section 222.001, Transportation Code, as follows:

Sec. 222.001. USE OF STATE HIGHWAY FUND. (a) Creates this subsection from existing text. Deletes an existing provision authorizing the use of money in the state highway fund by the Department of Public Safety to police the state highway system and to administer state laws relating to traffic and safety on public roads.

(b) Authorizes money in the state highway fund not described by Subsection (a) to be used only to improve the state highway system, except as otherwise provided by this code.

SECTION 3. Amends Section 222.073, Transportation Code, to require the Texas Transportation Commission to use money deposited in the state infrastructure bank to the extent permissible under Section 222.001 for the purposes set forth in this subsection.

SECTION 4. Repealer: Section 222.002 (Purposes of Infrastructure), Transportation Code.

SECTION 5. Effective date: September 1, 2009.

SECTION 6. Makes application of this Act contingent upon passage of the constitutional amendment proposed by the 80th Legislature, Regular Session, 2007, to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.