

By: Isett

H.B. No. 3532

A BILL TO BE ENTITLED

AN ACT

relating to the funding structure for state and local parks.

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

SECTION 1. Section 151.801(c), Tax Code, is amended to read as follows:

(c) The proceeds from the collection of the taxes imposed by this chapter on the sale, storage, or use of sporting goods shall be ~~deposited as follows:~~

~~[(1) For the period beginning September 1, 1993, and ending August 31, 1995, an amount equal to 50 cents per 1,000 cigarettes shall be deposited to the credit of the general revenue fund, state parks account, and an amount equal to 50 cents per 1,000 cigarettes shall be deposited to the credit of the general revenue fund, Texas recreation and parks account, and the balance shall be retained in the general revenue fund.]~~

~~[(2) Beginning September 1, 1995, the taxes collected shall be] credited to the Parks and Wildlife Department, and the comptroller shall deposit the proceeds [deposited] as specified by the legislature in a general appropriations act for the then-current state fiscal biennium, to the following accounts:~~

(1) the state parks account;

(2) the Texas recreation and parks account; and

(3) the Texas parks and wildlife conservation and capital account ~~[in the Parks and Wildlife Code. The comptroller~~

1 ~~shall not credit in excess of \$32 million in sporting goods tax~~  
2 ~~revenue annually to the Parks and Wildlife Department].~~

3 SECTION 2. Section 11.035(b), Parks and Wildlife Code, is  
4 amended to read as follows:

5 (b) The department shall deposit to the credit of the state  
6 parks account all revenue, less allowable costs, received from the  
7 following sources:

8 (1) grants or operation of concessions in state parks  
9 or fishing piers;

10 (2) publications on state parks, state historic sites,  
11 or state scientific areas;

12 (3) fines or penalties received from violations of  
13 regulations governing parks issued pursuant to Subchapter B,  
14 Chapter 13, of this code;

15 (4) fees and revenue collected under Section 11.027(b)  
16 or (c) of this code that are associated with state park lands;

17 (5) the amount allocated by the legislature  
18 ~~[\$1,125,000 per month and 40 percent of the amount above \$27 million~~  
19 ~~per year of credits made to the department]~~ under Section 151.801,  
20 Tax Code; and

21 (6) any other source provided by law.

22 SECTION 3. Sections 11.043(b) and (c), Parks and Wildlife  
23 Code, are amended to read as follows:

24 (b) The account consists of the amount allocated by the  
25 legislature ~~[of credits made to the department]~~ under Section  
26 151.801, Tax Code, ~~[after allocations to the state parks account~~  
27 ~~and the Texas recreation and parks account,]~~ proceeds of revenue

1 bonds issued under Section 13.0045, and money from [~~or~~] any other  
2 source authorized by law.

3 (c) Except as provided by Subsection (d), money in the  
4 account may be spent only for debt service appropriated to the  
5 department or the Texas Public Finance Authority, acquisition and  
6 development, maintenance, or operation of parks, fisheries, and  
7 wildlife projects that have been individually approved by the  
8 commission. Projects that directly provide hunting, fishing, or  
9 outdoor recreation opportunity to the public shall be given  
10 preference for funding under this section. Approved projects may  
11 include:

12 (1) acquiring land or facilities for use in any  
13 department program;

14 (2) developing and improving any land or facility  
15 owned or controlled by the department;

16 (3) servicing the debt on Texas park development bonds  
17 issued under Article III, Section 49-e, of the Texas Constitution  
18 or any other bonds issued for parks, fisheries, or wildlife  
19 projects;

20 (4) local park grants in Chapter 24 of this code;

21 (5) initiating or participating in partnerships to  
22 enhance conservation of historical, cultural, or natural  
23 resources;

24 (6) operational and maintenance costs in association  
25 with any parks, fisheries, wildlife projects, or department law  
26 enforcement efforts in support of this code; and

27 (7) meeting the requirements for providing matching

1 money for any federal grants for parks, fisheries, or wildlife  
2 projects.

3 SECTION 4. Section 24.003, Parks and Wildlife Code, is  
4 amended to read as follows:

5 Sec. 24.003. ACCOUNT REVENUE SOURCE. The department shall  
6 deposit to the credit of the Texas recreation and parks account:

7 (1) the amount allocated by the legislature under  
8 Section 151.801, Tax Code [~~\$1,125,000 per month and 40 percent of~~  
9 ~~the amount above \$27 million per year of credits made to the~~  
10 ~~department under Section 151.801, Tax Code~~]; and [~~or~~]

11 (2) money from any other source authorized by law.

12 SECTION 5. This Act takes effect September 1, 2007.