

BILL ANALYSIS

C.S.H.B. 2854
By: Hughes
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the fee for the issuance of specialty license plates is set at \$30. For each fee collected, \$8 is directed to the Texas Department of Transportation (TxDOT) for its administrative costs, and the remainder is deposited into the specialty license plate fund if the sponsor of the specialty plate nominated a state agency to receive the funds, or into the state highway fund if the specialty plate does not have a sponsor.

Prior to 2003, the law directed proceeds from the issuance of professional firefighter specialty license plates to emergency relief for professional firefighters and scholarships for their dependents. However, when the 78th Legislature recodified the Transportation Code, that provision was removed and TxDOT became the sole recipient of funds derived from the issuance of professional firefighter specialty plates.

C.S.H.B. 2854 authorizes the sponsor of the Professional Firefighter Plate to nominate a state agency as the recipient of funds derived from the issuance of the license plate and requires those funds to be used to support an organization that provides emergency relief for professional firefighters and college scholarships for the firefighters and their dependents.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2854 amends the Transportation Code to authorize the Professional Firefighter Plate to be issued to qualified firefighters and to authorize the sponsor of the license plate to nominate a state agency for receipt of the funds derived from the issuance of the license plate. The bill requires the remainder of fees derived from such issuance, after deduction of the Texas Department of Transportation's administrative costs, to be deposited to the credit of an account in the state treasury to be used by the nominated state agency for the purpose of making grants to support the activities of an organization of professional firefighters located in Texas that provides emergency relief and college scholarship funds to professional firefighters and their dependents.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2854 differs from the original by authorizing the Professional Firefighter Plate to be issued to qualified firefighters, whereas the original provides for the issuance of a specialty

license plate for professional firefighters created by the Texas Department of Transportation (TxDOT). The substitute differs from the original by authorizing the sponsor of the plate to nominate a state agency for receipt of funds derived from the issuance of the license plate, whereas the original requires TxDOT to authorize the sponsor to nominate a state agency for receipt of such funds at any time after TxDOT creates the license plate. The substitute differs from the original by requiring the remainder of fees derived from the issuance of the license plate, after deduction of TxDOT's administrative costs, to be deposited to the credit of an account in the state treasury for use by the nominated state agency for certain purposes, whereas the original requires the funds received by the nominated state agency to be used for the same purposes and does not include deduction of costs or specify an account in which the funds are to be deposited.