

By: Hodge, Madden

H.B. No. 2097

A BILL TO BE ENTITLED

AN ACT

relating to the personal and official use of state vehicles.

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

SECTION 1. Section 2113.013, Government Code, is amended by adding Subsections (b-1), (d), (e), (f), (g), (h), and (i) to read as follows:

(b-1) An officer or employee of a state agency who is authorized to use a state-owned or state-leased motor vehicle under Subsection (b) shall reimburse the state for the officer's or employee's personal use mileage accumulated on the vehicle, including mileage resulting from commuting to and from the officer's or employee's residence. The officer or employee must submit the reimbursement to the state agency not later than the 60th day after the last day of the month in which the officer or employee accumulates personal use mileage.

(d) The comptroller shall establish guidelines for a state agency officer or employee who is authorized to use a state-owned or state-leased motor vehicle under Subsection (b) to reimburse the state for the officer's or employee's personal use of the vehicle at the state mileage reimbursement rate established as provided by Section 660.042. The guidelines must include:

(1) standards for submission of personal use information to the state agency;

(2) a requirement that the officer or employee

1 maintain a point-by-point mileage log for the vehicle, except as
2 provided by Subsection (h); and

3 (3) procedures for the officer or employee to follow
4 to reimburse the state for the officer's or employee's personal use
5 of the vehicle.

6 (e) Except as provided by Subsection (h), a state agency
7 that authorizes a state agency officer or employee to use a
8 state-owned or state-leased motor vehicle under Subsection (b)
9 shall adopt the guidelines established by the comptroller under
10 Subsection (d).

11 (f) Not later than December 31 of each year, the comptroller
12 shall submit a report to the presiding officers of both houses of
13 the legislature on the personal use of state-owned or state-leased
14 motor vehicles by state agency officers and employees. The report
15 must include:

16 (1) the total personal use miles attributable to each
17 state agency; and

18 (2) an accounting of reimbursements made to a state
19 agency under Subsection (b-1).

20 (g) The comptroller may require the installation of global
21 positioning devices in all motor vehicles purchased or leased by
22 the state. The comptroller shall modify the guidelines established
23 under Subsection (d) as necessary to make use of the devices.

24 (h) A peace officer or other law enforcement officer who is
25 authorized to use a state-owned or state-leased motor vehicle under
26 Subsection (b) and whose primary duty is to patrol an established
27 area is not required to log personal use mileage.

1 (i) This section does not apply to an individual who has
2 been commissioned as:

3 (1) a peace officer by the Public Safety Commission or
4 the director of the Department of Public Safety;

5 (2) a peace officer by the executive director of the
6 Parks and Wildlife Department; or

7 (3) an inspector or representative by the Texas
8 Alcoholic Beverage Commission or the administrator of the Texas
9 Alcoholic Beverage Commission.

10 SECTION 2. Section 2203.001, Government Code, is amended by
11 amending Subsection (c) and adding Subsections (c-1) and (c-2) to
12 read as follows:

13 (c) A report filed under this section must show:

14 (1) the purpose for which the vehicle was used;

15 (2) the mileage traveled, including a detailed
16 point-by-point accounting of the mileage between stops and the
17 purpose for each stop except as provided by Section 2113.013(h);

18 (3) the amounts of gasoline and oil consumed;

19 (4) the passengers carried; and

20 (5) other information necessary to a proper record of
21 the use of the vehicle.

22 (c-1) A state agency that uses state-owned or state-leased
23 vehicles for undercover or security purposes may develop a
24 code-based system to identify locations for the purposes of this
25 section.

26 (c-2) An individual described by Section 2113.013(i) is not
27 required to include in a report filed under this section a detailed

1 point-by-point accounting of the mileage between stops and the
2 purpose for each stop.

3 SECTION 3. The comptroller shall adopt the guidelines
4 required by Section 2113.013(d), Government Code, as added by this
5 Act, as soon as possible. The guidelines must take effect not later
6 than September 1, 2009, and apply to a state agency on or after
7 September 1, 2009.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2009.