

By: Hodge, Madden

H.B. No. 2097

Substitute the following for H.B. No. 2097:

By: Solomons

C.S.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.

The guidelines must include:

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

(2) a requirement that the officer or employee maintain a point-by-point mileage log for the vehicle, except as

1 provided by Subsection (h); and

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

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

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

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

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

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

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

27 (i) This section does not apply to an individual who has

1 been commissioned as a peace officer by the Public Safety  
2 Commission or the director of the Department of Public Safety.

3 SECTION 2. Section 2203.001, Government Code, is amended by  
4 amending Subsection (c) and adding Subsection (c-1) to read as  
5 follows:

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

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

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

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

12 (4) the passengers carried; and

13 (5) other information necessary to a proper record of  
14 the use of the vehicle.

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

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

24 SECTION 4. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.