

BILL ANALYSIS

H.B. 1131
By: Larson
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have expressed concern that the Texas Legislature has, in the past, diverted certain funds away from their original purposes. Recent reports indicate that a significant amount of money has been diverted from the state motor fuel tax fund, which was created to provide for the maintenance and construction of state roadways. These reports maintain that for the 2010-2011 state fiscal biennium, a significant number of agencies that are not germane to transportation received money from that fund requiring the Texas Department of Transportation (TxDOT) to seek other funding sources, including toll roads, to fund the required maintenance of the Texas road system. H.B. 1131 seeks to address these concerns by amending certain provisions of law relating to the permissible uses of the state highway fund.

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

H.B. 1131 amends the Transportation Code to make the use of money in the state highway fund to repay a loan conditional on permissibility under the Texas Constitution. The bill limits the use of money in the state highway fund that is not required to be used for public roadways by the constitution or federal law to the improvement of the state highway system. The bill removes a provision of law authorizing money in the state highway fund required to be used for public roadways by the constitution or federal law to be used 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.

H.B. 1131 makes the use of money in the state infrastructure bank account by the Texas Transportation Commission conditional on permissibility under provisions of law relating to the use of the state highway fund.

H.B. 1131 repeals Section 222.002, Transportation Code, authorizing money in the state highway fund that is not required to be spent for public roadways by the constitution or federal law to be used for any function performed by the Texas Department of Transportation.

EFFECTIVE DATE

September 1, 2013, if the constitutional amendment proposed by the 82nd Legislature, Regular Session, 2011, 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 is approved by the voters.