

By: Harper-Brown

H.B. No. 3295

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Department of Motor Vehicles to set the amount of certain fees.

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

SECTION 1. Section 2301.712(a), Occupations Code, is amended to read as follows:

(a) The board shall determine the amount of the ~~The~~ filing fee for a contested case or a protest that involves a hearing

SECTION 2. Section 643.001, Transportation Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1) "Board" means the board of the Texas Department of Motor Vehicles.

(1-a) "Department" means the Texas Department of Motor Vehicles.

SECTION 3. Subchapter C, Chapter 1001, Transportation Code, is amended by adding Section 1001.0421 to read as follows:

Sec. 1001.0421. REVENUE FORECAST. The board shall prepare a forecast containing a detailed report of estimated revenue for the state highway fund on a biennial basis.

SECTION 4. Chapter 1002, Transportation Code, is amended by adding Sections 1002.004 and 1002.005 to read as follows:

Sec. 1002.004. PUBLICATION OF FEES. The board shall publish on the department's Internet website a schedule of all fees

1 set by the board.

2 Sec. 1002.005. AMOUNT OF FEES. Notwithstanding any other  
3 law, if the board has authority to collect or administer a fee in  
4 support of a program or regulatory function, the board may by rule  
5 set the fee in an amount determined by the board if:

6 (1) the board submits the proposed fee to the  
7 Legislative Budget Board for review; and

8 (2) the Legislative Budget Board determines the  
9 proposed fee will recover all direct and indirect costs of  
10 administering the program or regulatory function the fee is  
11 intended to support.

12 SECTION 5. The fees in effect on the effective date of this  
13 Act continue in effect until they are modified by the Texas  
14 Department of Motor Vehicles.

15 SECTION 6. This Act takes effect September 1, 2011.