

By: Davis of Dallas

H.B. No. 3527

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the disposition of fines for traffic violations
3 collected by certain municipalities.

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

5 SECTION 1. Section 542.402, Transportation Code, is amended
6 by amending Subsection (b) and adding Subsection (b-1) to read as
7 follows:

8 (b) In each fiscal year, except as provided by Subsection
9 (b-1), a municipality having a population of less than 5,000 may
10 retain, from fines collected for violations of this title and from
11 special expenses collected under Article 45.051, Code of Criminal
12 Procedure, in cases in which a violation of this title is alleged,
13 an amount equal to 30 percent of the municipality's revenue for the
14 preceding fiscal year from all sources, other than federal funds
15 and bond proceeds, as shown by the audit performed under Section
16 103.001, Local Government Code. After a municipality has retained
17 that amount, the municipality shall send to the comptroller any
18 portion of a fine or a special expense collected that exceeds \$1.

19 (b-1) A municipality may retain an amount in excess of the
20 limitation imposed by Subsection (b) if the excess amount retained
21 is used exclusively to fund fire, rescue, and emergency medical
22 services, including any necessary support services for those
23 functions.

24 SECTION 2. The change in law made by this Act to Section

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1 542.402, Transportation Code, applies only to a fiscal year of a
2 municipality that begins on or after the effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2011.