

By: Isaac

H.B. No. 54

A BILL TO BE ENTITLED

AN ACT

relating to the deposit to the state highway fund and the Texas emissions reduction plan fund of certain motor vehicle sales tax revenue.

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

SECTION 1. Section 386.251(c), Health and Safety Code, is amended to read as follows:

(c) The fund consists of:

(1) the amount of money deposited to the credit of the fund under:

(A) Section 386.056;

(B) Sections 151.0515, ~~and~~ 152.0215, and 152.1224, Tax Code; and

(C) Sections 501.138, 502.358, and 548.5055, Transportation Code; and

(2) grant money recaptured under Section 386.111(d) and Chapter 391.

SECTION 2. Subchapter G, Chapter 152, Tax Code, is amended by adding Section 152.1224 to read as follows:

Sec. 152.1224. ALLOCATION OF CERTAIN REVENUE DERIVED FROM SALES TAX IMPOSED ON ELECTRIC VEHICLES. (a) In this section, "electric vehicle" means a motor vehicle that draws propulsion energy only from a rechargeable energy storage system.

(b) Notwithstanding Section 152.122, in each state fiscal

year beginning on or after September 1, 2019, the comptroller shall deposit to the credit of the state highway fund all money received under Sections 152.047 and 152.121 that is estimated to have been derived from the tax imposed under Section 152.021 on the sale of an electric vehicle and is remaining after the comptroller makes the allocation required by Section 152.1222.

(b-1) Notwithstanding Section 152.122, in each state fiscal year beginning on or after September 1, 2015, and before September 1, 2019, the comptroller shall deposit all money received under Sections 152.047 and 152.121 that is estimated to have been derived from the tax imposed under Section 152.021 on the sale of an electric vehicle and is remaining after the comptroller makes the allocation required by Section 152.1222 as follows:

(1) 75 percent to the credit of the state highway fund;  
and

(2) 25 percent to the credit of the Texas emissions reduction plan fund.

(b-2) Subsection (b-1) and this subsection expire August 31, 2019.

(c) The comptroller shall determine the amounts to be deposited as required by this section using available statistical data. If satisfactory data are not available, the comptroller may require county tax assessor-collectors and sellers of motor vehicles in seller-financed sales to report additional information to the comptroller as necessary to make the deposits required by this section.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect on the 91st day after the last day of the  
5 legislative session.