

By: Campbell

S.B. No. 36

A BILL TO BE ENTITLED

AN ACT

relating to the use of money in the state highway fund.

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

SECTION 1. Article 102.020(h), Code of Criminal Procedure, is amended to read as follows:

(h) Except as provided by Subsection (h-1), the comptroller shall deposit [~~35 percent of~~] the funds received under this article in the state treasury to the credit of the [~~state highway fund and 65 percent of the funds received under this article to the credit of the~~] criminal justice planning account in the general revenue fund.

SECTION 2. Section 411.0205(g), Government Code, is amended to read as follows:

(g) Funds collected under this section shall be deposited in the state treasury to the credit of the general revenue [~~state highway~~] fund, and money deposited to the general revenue [~~state highway~~] fund under this section may be used only to defray the cost of administering this section or Subchapter G.

SECTION 3. Section 411.145(c), Government Code, is amended to read as follows:

(c) A fee collected under this section shall be deposited in the state treasury to the credit of the general revenue [~~state highway~~] fund, and money deposited to the general revenue [~~state highway~~] fund under this section and under Articles 42.12 and 102.020(h), Code of Criminal Procedure, may be used only to defray

1 the cost of administering this subchapter and Section 411.0205.

2 SECTION 4. Section 222.001, Transportation Code, is amended
3 by amending Subsection (a) and adding Subsection (c) to read as
4 follows:

5 (a) Money that is required to be used for public roadways by
6 the Texas Constitution or federal law and that is deposited in the
7 state treasury to the credit of the state highway fund, including
8 money deposited to the credit of the state highway fund under Title
9 23, United States Code, may be used only:

10 (1) to improve the state highway system; or

11 (2) to mitigate adverse environmental effects that
12 result directly from construction or maintenance of a state highway
13 by the department [~~;~~ ~~or~~

14 [~~(3) by the Department of Public Safety to police the~~
15 ~~state highway system and to administer state laws relating to~~
16 ~~traffic and safety on public roads].~~

17 (c) The legislature may not appropriate money from the state
18 highway fund to an agency other than the commission, the
19 department, or the Department of Motor Vehicles unless the
20 appropriation is for constructing, maintaining, or acquiring
21 rights-of-way for public roadways.

22 SECTION 5. Section 501.100(e), Transportation Code, is
23 amended to read as follows:

24 (e) On or after the 31st day after the date the department
25 receives a rebuilder fee under Subsection (d), the department shall
26 deposit [~~\$50 of~~] the fee to the credit of the [~~state highway fund to~~
27 ~~be used only by the Department of Public Safety to enforce this~~

1 ~~chapter and \$15 to the credit of the]~~ general revenue fund.

2 SECTION 6. Section 502.357(b), Transportation Code, is
3 amended to read as follows:

4 (b) Fees collected under this section shall be deposited to
5 the credit of the state highway fund. [~~Subject to appropriations,~~
6 ~~the money shall be used by the Department of Public Safety to:~~

7 [~~(1) support the Department of Public Safety's~~
8 ~~reengineering of the driver's license system to provide for the~~
9 ~~issuance by the Department of Public Safety of a driver's license or~~
10 ~~personal identification certificate, to include use of image~~
11 ~~comparison technology;~~

12 [~~(2) establish and maintain a system to support the~~
13 ~~driver responsibility program under Chapter 708; and~~

14 [~~(3) make lease payments to the master lease purchase~~
15 ~~program for the financing of the driver's license reengineering~~
16 ~~project.]~~

17 SECTION 7. Section 411.013(c), Government Code, is
18 repealed.

19 SECTION 8. Sections 502.357(c) and (d), Transportation
20 Code, are repealed.

21 SECTION 9. This Act takes effect September 1, 2015, but only
22 if the constitutional amendment proposed by the 83rd Legislature,
23 2nd Called Session, 2013, prescribing the purposes for which
24 revenues from motor vehicle registration fees, certain motor
25 vehicle-related taxes, and certain revenues received from the
26 federal government may be used is approved by the voters. If that
27 amendment is not approved by the voters, this Act has no effect.