

By: McClendon, Riddle, Geren, et al.

H.B. No. 1878

Substitute the following for H.B. No. 1878:

By: McClendon

C.S.H.B. No. 1878

A BILL TO BE ENTITLED

AN ACT

relating to the allocation of certain revenue to the Texas rail relocation and improvement fund.

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, Tax Code; and

(C) Sections [~~501.138~~] 502.358[~~7~~] and 548.5055, Transportation Code; and

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

SECTION 2. Section 501.138, Transportation Code, is amended by amending Subsections (b-1) and (b-2) and adding Subsection (c-1) to read as follows:

(b-1) Fees collected under Subsection (b) to be sent to the comptroller shall be deposited to the credit of the Texas Mobility Fund, except that \$5 of each fee imposed under Subsection (a)(1) [~~and deposited on or after September 1, 2008, and before September 1, 2015,~~] shall be deposited to the credit of the Texas rail relocation and improvement [~~emissions reduction plan~~] fund.

1 (b-2) The comptroller shall establish a record of the amount
2 of the fees deposited to the credit of the Texas Mobility Fund under
3 Subsection (b-1). On or before the fifth workday of each month,
4 the department shall remit to the comptroller for deposit to the
5 credit of the Texas rail relocation and improvement [~~emissions~~
6 ~~reduction plan~~] fund an amount of money equal to the amount of the
7 fees deposited by the comptroller to the credit of the Texas
8 Mobility Fund under Subsection (b-1) in the preceding month. The
9 department shall use for remittance to the comptroller for deposit
10 to the credit of the Texas rail relocation and improvement fund as
11 required by this subsection money in the state highway fund that is
12 not required to be used for a purpose specified by Section 7-a,
13 Article VIII, Texas Constitution, and may not use for that
14 remittance money received by this state under the congestion
15 mitigation and air quality improvement program established under 23
16 U.S.C. Section 149.

17 (c-1) Money deposited to the Texas rail relocation and
18 improvement fund under Subsections (b-1) and (b-2) may be used to
19 fund an infrastructure project to reduce air pollution and relieve
20 congestion through rail relocation or improvement, including an
21 infrastructure project described by Section 386.109(a)(4), Health
22 and Safety Code.

23 SECTION 3. Section 501.138(b-3), Transportation Code, is
24 repealed.

25 SECTION 4. This Act takes effect September 1, 2013.