

By: Watson

S.B. No. 1791

A BILL TO BE ENTITLED

AN ACT

relating to a county air quality fee imposed at the time of an emissions-related inspection.

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

SECTION 1. Subchapter G, Chapter 382, Health and Safety Code, is amended by adding Section 382.221 to read as follows:

Sec. 382.221. COUNTY AIR QUALITY FEE. (a) An affected county that has incidents approaching, or monitors incidents that exceed, the eight-hour national ambient air quality standard for ozone may by order adopt a county air quality fee:

(1) to be imposed at the time an emissions-related inspection is performed in the county; and

(2) to be used by the county only for:

(A) a low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program under Section 382.209; or

(B) local initiative projects under Section 382.220(b).

(b) A county that adopts a fee under this section shall notify the Department of Public Safety, in a manner determined by the department, of the fee and the fee amount not later than the 60th day before the date the county imposes the fee.

(c) The amount of the fee may not exceed the amount of a fee assessed for an emissions-related inspection under Section

1 548.505, Transportation Code.

2 SECTION 2. Subchapter H, Chapter 548, Transportation Code,  
3 is amended by adding Section 548.5056 to read as follows:

4 Sec. 548.5056. COUNTY AIR QUALITY FEE. (a) After receiving  
5 notice that a county has adopted a county air quality fee under  
6 Section 382.221, Health and Safety Code, the department shall:

7 (1) notify inspection stations located in the county  
8 of the fee; and

9 (2) require the inspection stations to:

10 (A) charge the fee; and

11 (B) remit the fee to the department.

12 (b) The department shall remit to a county that imposes a  
13 fee under this section revenue the department receives from the  
14 inspection stations in the county under this section.

15 (c) The department may not send revenue received from an  
16 inspection station under this section to the comptroller or credit  
17 to an account or fund in the state treasury revenue received from an  
18 inspection station under this section.

19 (d) A fee imposed under this section is not a Clean Air Act  
20 fee.

21 (e) The department may deduct for administrative costs an  
22 amount of not more than two percent of the fees collected under this  
23 section.

24 SECTION 3. Section 548.508, Transportation Code, is amended  
25 to read as follows:

26 Sec. 548.508. DISPOSITION OF FEES. Except as provided by  
27 Sections 382.0622 and 382.202, Health and Safety Code, and Sections

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1 [~~Section~~] 548.5055[~~7~~] and 548.5056, each fee collected by the  
2 department under this subchapter shall be deposited to the credit  
3 of the Texas mobility fund.

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