

BILL ANALYSIS

H.B. 3423
By: Raney
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that current law does not authorize a county assessor-collector who receives a credit card or debit card payment for a vehicle registration fee that is disputed by the credit card or debit card company to notify a sheriff, constable, or highway patrol officer if the county assessor-collector cannot get into contact with the individual who made the failed payment. H.B. 3423 seeks to provide a county assessor-collector with the necessary notification authority for such a situation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3423 amends the Transportation Code to require a county assessor-collector who receives from any person a payment by credit card or debit card for a vehicle registration fee for a registration year that has not ended that is returned unpaid because the payment has been disputed by the credit card or debit card company to certify the fact to the sheriff or a constable or highway patrol officer in the county after attempts to contact the person fail to result in the collection of payment. The bill requires the certification to be made before the 30th day after the date the assessor-collector is made aware that the credit card or debit card payment has been disputed, to be under the assessor-collector's official seal, to include the name and address of the person who authorized the credit card or debit card payment and the vehicle's license plate number and make, to be accompanied by evidence from the credit card or debit card company that the company has determined that it will not make payment on the disputed credit card or debit card charge, and to be accompanied by documentation of any attempt to contact the person and collect payment.

H.B. 3423 requires the sheriff, constable, or highway patrol officer, on receiving such a complaint from the county assessor-collector, to find the person who authorized the credit card or debit card payment, if the person is in the county, and demand immediate redemption of payment from the person and, if the person fails or refuses to redeem the payment, to seize and remove the license plates and registration insignia from the vehicle and return the license plates and registration insignia to the assessor-collector.

EFFECTIVE DATE

September 1, 2015.