

By: Bohac

H.B. No. 991

A BILL TO BE ENTITLED

AN ACT

relating to requiring notice of federal and state tax rates for motor fuel sold at retail; providing a civil penalty.

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

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 111 to read as follows:

CHAPTER 111. NOTICE REQUIRED FOR MOTOR FUEL SOLD AT RETAIL

Sec. 111.001. NOTICE OF MOTOR FUEL TAX RATES. (a) In this section, "motor fuel" has the meaning assigned by Section 162.001, Tax Code.

(b) A person who sells motor fuel at retail shall display on each motor fuel pump at the retail location a notice of the current rates of the federal and state motor fuel taxes. The notice must:

(1) display the current rate of each tax, in cents per gallon, for each type of motor fuel;

(2) be displayed on each face of the motor fuel pump on which the price of the motor fuel sold from the pump is displayed; and

(3) be displayed in a clear, conspicuous, and prominent manner.

(c) A person who violates this section is liable to the state for a civil penalty in an amount not to exceed \$500 for each calendar month in which a violation occurs. The civil penalty may not be imposed for more than one violation that occurs in a month.

1 The attorney general or the appropriate prosecuting attorney in the  
2 county in which the violation occurs may bring an action to recover  
3 the civil penalty imposed under this section.

4 SECTION 2. This Act takes effect January 1, 2016.