

By: Leach

H.B. No. 1030

A BILL TO BE ENTITLED

1 AN ACT
2 relating to money used by counties for the low-income vehicle
3 repair assistance, retrofit, and accelerated vehicle retirement
4 program and local initiative air quality projects.

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

6 SECTION 1. Section 403.071(b), Government Code, is amended
7 to read as follows:

8 (b) A claim may not be paid from an appropriation unless the
9 claim is presented to the comptroller for payment not later than two
10 years after the end of the fiscal year for which the appropriation
11 was made. However, a claim may be presented not later than four
12 years after the end of the fiscal year for which the appropriation
13 from which the claim is to be paid was made if the appropriation
14 relates to new construction contracts, to funding for local
15 initiative projects described by Section 382.220, Health and Safety
16 Code, that involve construction, to grants awarded under Chapter
17 391, Health and Safety Code, or to repair and remodeling projects
18 that exceed the amount of \$20,000, including furniture and other
19 equipment, architects' and engineering fees, and other costs
20 related to the contracts or projects.

21 SECTION 2. Section 382.202(g), Health and Safety Code, is
22 amended to read as follows:

23 (g) The commission shall:

24 (1) use part of the fee collected under Subsection (e)

1 to fund low-income vehicle repair assistance, retrofit, and
2 accelerated vehicle retirement programs created under Section
3 382.209; and

4 (2) ~~[to the extent practicable,~~ distribute available
5 funding created under Subsection (e) among ~~[to]~~ participating
6 counties so that each participating county receives 90 percent of
7 the revenue derived from fees collected in the county ~~[in~~
8 ~~reasonable proportion to the amount of fees collected]~~ under
9 Subsection (e) ~~[in those counties or in the regions in which those~~
10 ~~counties are located]~~.

11 SECTION 3. Section 382.220, Health and Safety Code, is
12 amended by amending Subsections (b) and (d), as effective March 1,
13 2015, and adding Subsection (e) to read as follows:

14 (b) A program under this section must be implemented in
15 consultation with the commission and may include a program to:

16 (1) expand and enhance the AirCheck Texas Repair and
17 Replacement Assistance Program;

18 (2) develop and implement programs or systems that
19 remotely determine vehicle emissions and notify the vehicle's
20 operator;

21 (3) develop and implement projects to implement the
22 commission's smoking vehicle program;

23 (4) develop and implement projects in consultation
24 with the director of the Department of Public Safety for
25 coordinating with local law enforcement officials to reduce the use
26 of counterfeit registration insignia and vehicle inspection
27 reports by providing local law enforcement officials with funds to

1 identify vehicles with counterfeit registration insignia and
2 vehicle inspection reports and to carry out appropriate actions;

3 (5) develop and implement programs to enhance
4 transportation system improvements, including improvements meant
5 to reduce congestion on existing roads, but not including toll
6 projects; or

7 (6) develop and implement new air control strategies
8 designed to assist local areas in complying with state and federal
9 air quality rules and regulations.

10 (d) Fees collected under Sections 382.202 and 382.302 and
11 distributed to a county under Section 382.209 may be used [~~in an~~
12 ~~amount not to exceed \$7 million per fiscal year~~] for projects
13 described by Subsection (b). Only a county [~~, of which \$2 million~~
14 ~~may be used only for projects described by Subsection (b)(4). The~~
15 ~~remaining \$5 million may be used for any project described by~~
16 ~~Subsection (b). The fees shall be made available only to counties~~]
17 participating in a program [~~the low-income vehicle repair~~
18 ~~assistance, retrofit, and accelerated vehicle retirement programs~~]
19 created under Section 382.209 may receive money to implement a
20 project described by Subsection (b) [~~and only on a matching basis,~~
21 ~~whereby the commission provides money to a county in the same amount~~
22 ~~that the county dedicates to a project authorized by Subsection~~
23 ~~(b). The commission may reduce the match requirement for a county~~
24 ~~that proposes to develop and implement independent test facility~~
25 ~~fraud detection programs, including the use of remote sensing~~
26 ~~technology for coordinating with law enforcement officials to~~
27 ~~detect, prevent, and prosecute the use of counterfeit registration~~

1 ~~insignia and vehicle inspection reports]~~. A county that receives
2 money for a project under this section may allocate money to
3 programs under Section 382.209 and this section at the discretion
4 of the county.

5 (e) Money used to implement a program under this section
6 that involves construction for a fiscal year may be distributed to a
7 county to be used for a program under this section in subsequent
8 fiscal years if the money has been made available to the county and
9 has been treated as a binding encumbrance by the commission before
10 the end of the appropriation year of the money appropriated for
11 those purposes. Distribution of the money is subject to Section
12 403.071, Government Code.

13 SECTION 4. This Act takes effect September 1, 2015.