

By: Huberty

H.B. No. 1465

A BILL TO BE ENTITLED

1 AN ACT

2 relating to money used by certain counties for the low-income
3 vehicle repair assistance, retrofit, and accelerated vehicle
4 retirement 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 a local
15 initiative project described by Section 382.220 or 382.221, Health
16 and Safety Code, that involves construction in a county described
17 by Section 382.221, Health and Safety Code, to grants awarded under
18 Chapter 391, Health and Safety Code, or to repair and remodeling
19 projects that exceed the amount of \$20,000, including furniture and
20 other equipment, architects' and engineering fees, and other costs
21 related to the contracts or projects.

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

24 (g) The commission shall:

1 (1) use part of the fee collected under Subsection (e)
2 to fund low-income vehicle repair assistance, retrofit, and
3 accelerated vehicle retirement programs created under Section
4 [382.209](#); and

5 (2) to the extent practicable, distribute available
6 funding created under Subsection (e) among ~~to~~ participating
7 counties:

8 (A) in reasonable proportion to the amount of
9 fees collected under Subsection (e) in those counties or in the
10 regions in which those counties are located; and

11 (B) so that a county with a population of at least
12 four million receives 90 percent of the revenue derived from fees
13 collected in the county.

14 SECTION 3. Subchapter G, Chapter 382, Health and Safety
15 Code, is amended by adding Section 382.221 to read as follows:

16 Sec. 382.221. LOW-INCOME VEHICLE REPAIR ASSISTANCE,
17 RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM AND LOCAL
18 INITIATIVE PROJECTS IN CERTAIN COUNTIES. (a) This section applies
19 only to a county with a population of at least four million that
20 participates in the low-income vehicle repair assistance,
21 retrofit, and accelerated vehicle retirement program created under
22 Section [382.209](#).

23 (b) To the extent that this section is inconsistent or in
24 conflict with another provision of this subchapter, this section
25 prevails.

26 (c) A project a county implements under Section [382.220](#) may
27 include a program to enhance transportation system improvements,

1 including improvements meant to reduce congestion on existing
2 roads, but not including toll projects.

3 (d) A county may use fees collected under Sections 382.202
4 and 382.302 for a program or project described by Section 382.220 or
5 this section. A county that receives money under Section 382.220 or
6 this section:

7 (1) is not required to provide matching funds for a
8 program or project; and

9 (2) may allocate money to a program or project under
10 Section 382.209, Section 382.220, or this section at the discretion
11 of the county.

12 (e) Money used by a county to implement a program or project
13 under Section 382.220 or this section that involves construction
14 for a fiscal year may be distributed to the county to be used for the
15 program or project in subsequent fiscal years if the money has been
16 made available to the county and has been treated as a binding
17 encumbrance by the commission before the end of the appropriation
18 year of the money appropriated for those purposes. Distribution of
19 the money is subject to Section 403.071, Government Code.

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