

By: Shaheen

H.B. No. 2686

A BILL TO BE ENTITLED

AN ACT

relating to the provision and use of certain transportation funding, including the allocation of certain revenue from the taxes imposed on the sale or use of motor vehicles.

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

SECTION 1. Effective September 1, 2015, Section 152.122, Tax Code, is amended to read as follows:

Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to Section 152.1222, the [The] comptroller shall deposit the funds received under Section 152.121 of this code as follows:

(1) 1/6 to the credit of the state highway fund [~~1/4 to the credit of the foundation school fund~~]; and

(2) the remaining funds to the credit of the general revenue fund.

(b) Money deposited to the credit of the state highway fund under this section may not be used for:

(1) a toll road; or

(2) a mass transit project.

SECTION 2. Effective September 1, 2016, Section 152.122, Tax Code, is amended to read as follows:

Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to Section 152.1222, the [The] comptroller shall deposit the funds received under Section 152.121 of this code as follows:

[(1) 1/3 to the credit of the state highway fund [~~1/4~~

1 ~~to the credit of the foundation school fund]; and~~

2 (2) the remaining funds to the credit of the general
3 revenue fund.

4 SECTION 3. Effective September 1, 2017, Section 152.122,
5 Tax Code, is amended to read as follows:

6 Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to
7 Section 152.1222, the [~~The~~] comptroller shall deposit the funds
8 received under Section 152.121 of this code as follows:

9 (1) 1/2 to the credit of the state highway fund [~~1/4 to~~
10 ~~the credit of the foundation school fund]; and~~

11 (2) the remaining funds to the credit of the general
12 revenue fund.

13 SECTION 4. Effective September 1, 2018, Section 152.122,
14 Tax Code, is amended to read as follows:

15 Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to
16 Section 152.1222, the [~~The~~] comptroller shall deposit the funds
17 received under Section 152.121 of this code as follows:

18 (1) 2/3 to the credit of the state highway fund [~~1/4 to~~
19 ~~the credit of the foundation school fund]; and~~

20 (2) the remaining funds to the credit of the general
21 revenue fund.

22 SECTION 5. Effective September 1, 2019, Section 152.122,
23 Tax Code, is amended to read as follows:

24 Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to
25 Section 152.1222, the [~~The~~] comptroller shall deposit the funds
26 received under Section 152.121 of this code as follows:

27 (1) 5/6 to the credit of the state highway fund [~~1/4 to~~

1 ~~the credit of the foundation school fund]; and~~

2 (2) the remaining funds to the credit of the general
3 revenue fund.

4 SECTION 6. Effective September 1, 2020, Section 152.122,
5 Tax Code, is amended to read as follows:

6 Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to
7 Section 152.1222, the [The] comptroller shall deposit the funds
8 received under Section 152.121 to the credit of the state highway
9 fund. [of this code as follows:]

10 ~~[(1) 1/4 to the credit of the foundation school fund,~~
11 ~~and]~~

12 ~~[(2) the remaining funds to the credit of the general~~
13 ~~revenue fund.]~~

14 SECTION 7. Subchapter A, Chapter 222, Transportation Code,
15 is amended by adding Section 222.007 to read as follows:

16 Sec. 222.007. FUNDING FOR CERTAIN PROJECTS. (a) In this
17 section, "mass transit" has the meaning assigned by Section
18 370.003.

19 (b) On or before August 31, 2020, the department shall
20 identify and implement savings and efficiencies that result in a
21 total savings of at least \$1 billion. The amount saved is
22 appropriated for the state fiscal biennium ending August 31, 2020,
23 to the department from the source from which the money was
24 originally appropriated for the purpose of funding:

25 (1) added capacity projects on the state highway
26 system; and

27 (2) preventive maintenance and rehabilitation

1 projects on the state highway system.

2 (c) To provide the funding required under Subsection (b),
3 the department:

4 (1) shall maximize the use of all amounts appropriated
5 to the department;

6 (2) may use savings realized through operational
7 efficiencies, cost reductions, and cost savings; and

8 (3) may not reduce the amount of funding available for
9 transportation projects.

10 (d) Money appropriated under this section may not be used
11 for toll road, mass transit, or highway beautification projects.

12 (e) Not later than August 31, 2020, the department shall
13 report in writing to the legislature on the implementation of this
14 section.

15 (f) This section expires September 1, 2020.

16 SECTION 8. In addition to the substantive changes made by
17 this Act, this Act conforms Section [152.122](#), Tax Code, to the method
18 of allocating motor vehicle sales and use taxes in effect before the
19 effective date of this Act. Section 11.04, Chapter 4 (S.B. 3), Acts
20 of the 72nd Legislature, 1st Called Session, 1991, enacted former
21 Section 403.094(h), Government Code, which abolished certain state
22 fund dedications and resulted in the abolition of the allocation to
23 the foundation school fund effective August 31, 1995.

24 SECTION 9. Except as otherwise provided by this Act, this
25 act takes effect September 1, 2015.