

By: Fletcher

H.B. No. 3763

A BILL TO BE ENTITLED

AN ACT

relating to the allocation of certain increases in state sales tax revenue due to transportation projects to the state highway fund through the use of economic impact zones established by the Texas Department of Transportation.

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

SECTION 1. Chapter 222, Transportation Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. ECONOMIC IMPACT ZONES

Sec. 222.151. DEFINITIONS. In this subchapter:

(1) "Base year amount" means the amount of state sales tax revenue collected in a zone during the calendar year in which the zone is established.

(2) "Sales tax increment" means the amount in any calendar year after the year in which the zone was established by which state sales tax revenue collected in the zone exceeds the base year amount.

(3) "Zone" means an economic impact zone established under this subchapter.

Sec. 222.152. AUTHORITY TO ESTABLISH ZONE. (a) The department may establish an economic impact zone around a transportation project, subject to certification by the Legislative Budget Board.

(b) To the greatest extent practicable, the department

1 shall collaborate with a municipality or county in which a zone will  
2 be located in establishing the zone.

3 Sec. 222.153. ECONOMIC IMPACT STATEMENT; LEGISLATIVE  
4 BUDGET BOARD CERTIFICATION. (a) Before the department establishes  
5 a zone, the department must prepare an economic impact statement  
6 and submit the statement to the Legislative Budget Board.

7 (b) The economic impact statement must:

8 (1) clearly designate the boundaries of the zone;  
9 (2) identify the base year amount for the zone; and  
10 (3) contain estimates of the amount of state sales tax  
11 collections in the zone for the 30-year period following  
12 establishment of the zone.

13 (c) After reviewing the economic impact statement, the  
14 Legislative Budget Board may certify the zone or return the  
15 statement to the department if the board determines more  
16 information is needed before the zone may be certified.

17 (d) The department may establish a zone certified by the  
18 board at any time during the 12 months following certification.

19 Sec. 222.154. COMPTROLLER ALLOCATION OF INCREMENT. (a)  
20 The department shall notify the comptroller of the department's  
21 establishment of a zone not later than the 30th day after the date  
22 the zone is established. The notification must include a copy of  
23 the zone's certification by the Legislative Budget Board.

24 (b) Beginning on the first day of the calendar month  
25 following the establishment of the zone, the comptroller shall  
26 deposit the sales tax increment collected by or forwarded to the  
27 comptroller in a separate account outside the treasury with the

1 comptroller. The comptroller may make a transfer authorized by  
2 this section from the account without the necessity of an  
3 appropriation.

4 (c) The comptroller may estimate the amount of sales tax  
5 increment that will be deposited under Subsection (b) during each  
6 calendar year. The comptroller may make deposits to the account on  
7 a monthly basis based on the estimate. At the end of each calendar  
8 year, the comptroller shall adjust the deposits to reflect the  
9 amount of revenue actually deposited to the account during the  
10 calendar year.

11 (d) On January 1 of each calendar year, the comptroller  
12 shall transfer the money deposited under Subsection (b) as follows:

13 (1) 20 percent to the credit of the state highway fund;  
14 and

15 (2) the remainder to the credit of the general revenue  
16 fund.

17 (e) On termination of the zone, the comptroller shall  
18 transfer any money deposited under Subsection (b) that remains to  
19 the credit of the general revenue fund.

20 Sec. 222.155. TERMINATION. A zone created under this  
21 subchapter terminates on the 30th anniversary of the date the zone  
22 was established.

23 SECTION 2. This Act takes effect September 1, 2015.