

By: Hinojosa

S.B. No. 321

A BILL TO BE ENTITLED

AN ACT

relating to the amount of money transferred monthly from the state highway fund to the Texas emissions reduction plan fund.

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

SECTION 1. Sections 501.138(b-1) and (b-2), Transportation Code, are amended to read as follows:

(b-1) Fees collected under Subsection (b) to be sent to the comptroller shall be deposited to the credit of the Texas Mobility Fund~~[, except that \$5 of each fee imposed under Subsection (a)(1) and deposited on or after September 1, 2008, and before September 1, 2015, shall be deposited to the credit of the Texas emissions reduction plan fund].~~

(b-2) The comptroller shall establish a record of the amount of the fees deposited to the credit of the Texas Mobility Fund under Subsection (b-1) that are attributable to applicants from counties in which a fee under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d) is assessed. On or before the fifth workday of each month, the Texas Department of Transportation shall remit to the comptroller for deposit to the credit of the Texas emissions reduction plan fund an amount of money equal to the amount of those ~~[the]~~ fees deposited ~~[by the comptroller to the credit of the Texas Mobility Fund under Subsection (b-1)]~~ in the preceding month. The Texas Department of Transportation shall use for remittance to the comptroller as required by this subsection money in the state

1 highway fund that is not required to be used for a purpose specified
2 by Section 7-a, Article VIII, Texas Constitution, and may not use
3 for that remittance money received by this state under the
4 congestion mitigation and air quality improvement program
5 established under 23 U.S.C. Section 149.

6 SECTION 2. The Texas Department of Transportation is not
7 required to comply with Section 501.138(b-2), Transportation Code,
8 as amended by this Act, until October 1, 2015. Before October 1,
9 2015, the Texas Department of Transportation shall comply with
10 Section 501.138(b-2), Transportation Code, as it existed on August
11 31, 2015, and the former law is continued in effect for that
12 purpose.

13 SECTION 3. This Act takes effect September 1, 2015.