

By: Watson

S.B. No. 1143

A BILL TO BE ENTITLED

AN ACT

relating to the taxation, titling, and registration of certain motor vehicles.

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

SECTION 1. Section 152.041, Tax Code, is amended by amending Subsections (b), (c), and (d), and adding Subsection (g) to read as follows:

(b) Except as provided by Sections 152.0413 and [Section] 152.069, the tax assessor-collector may not accept an application unless the tax and any penalty is paid.

(c) Except as provided by Subsections [Subsection] (f) and (g) and Section 152.047, the tax imposed by Section 152.021 is due on the 20th working day after the date the motor vehicle is delivered to the purchaser.

(d) Except as provided by Subsections [Subsection] (f) and (g), the tax imposed by Section 152.022 is due on the 20th working day after the date the motor vehicle is brought into this state.

(g) If all or part of a tax imposed by Section 152.021 or 152.022 is paid on a day after the day prescribed by Subsection (c) or (d), as applicable, but is paid on or before the date specified in an installment agreement under Section 152.0413 for the payment of the tax, the tax is not considered delinquent for purposes of this code.

SECTION 2. Subchapter C, Chapter 152, Tax Code, is amended

1 by adding Section 152.0413 to read as follows:

2 Sec. 152.0413. INSTALLMENT PAYMENT OF TAX ON CERTAIN USED
3 MOTOR VEHICLES. (a) This section applies only to the payment of a
4 tax imposed by Section 152.021 or 152.022, and any accrued
5 penalties and interest, on the sale of a used motor vehicle designed
6 for personal use that is purchased in a private-party transaction.

7 (b) A tax assessor-collector may enter into an agreement
8 with a person applying for registration or for a Texas certificate
9 of title for a motor vehicle described by Subsection (a) that
10 provides for the payment of the tax and any penalty and interest in
11 installments.

12 (c) An installment agreement must be on a form prescribed by
13 the comptroller. The installment agreement form prescribed by the
14 comptroller must:

15 (1) require that the amount and date of each payment be
16 specified in the agreement;

17 (2) specify that the agreement may not extend for a
18 period of more than 12 months; and

19 (3) specify that if the applicant for registration or
20 for a Texas certificate of title fails to make a payment on time in
21 accordance with the agreement, the unpaid amount is delinquent and
22 incurs penalties and interest as prescribed by Sections 111.060 and
23 111.061.

24 (d) A tax assessor-collector may accept an application for
25 registration or for a Texas certificate of title for a motor vehicle
26 before the tax and any penalty is paid if an installment agreement
27 is submitted with the application.

1 (e) The comptroller may adopt rules necessary for the
2 implementation, administration, and enforcement of this section.

3 SECTION 3. Section 501.027, Transportation Code, is amended
4 to read as follows:

5 Sec. 501.027. ISSUANCE OF TITLE. (a) On the day that a
6 county assessor-collector issues a title receipt, a copy of the
7 title receipt and all evidence of title, including a notification
8 that the assessor-collector has entered into an agreement under
9 Section 152.0413, Tax Code, if applicable, shall be submitted to
10 the department in the period specified in Section 501.023(b).

11 (b) Except as provided by Subsection (c), not ~~Not~~ later
12 than the fifth day after the date the department receives an
13 application for a title and the department determines the
14 requirements of this chapter are met:

15 (1) the title shall be issued to the first lienholder
16 or to the applicant if a lien is not disclosed on the application;
17 or

18 (2) the department shall notify the applicant that the
19 department's titling system has established a record of title of
20 the motor vehicle in the applicant's name if a lien is not
21 disclosed. If a lien is disclosed on the application, the
22 department shall notify the lienholder that the lien has been
23 recorded.

24 (c) A title for which the department has received notice of
25 the existence of an agreement entered into under Section 152.0413,
26 Tax Code, shall be issued in the manner provided by Section
27 501.0271.

1 SECTION 4. Subchapter B, Chapter 501, Transportation Code,
2 is amended by adding Section 501.0271 to read as follows:

3 Sec. 501.0271. TITLE FOR MOTOR VEHICLE SUBJECT TO
4 TAX-PAYMENT AGREEMENT; NOTIFICATION AND ISSUANCE. (a) A county
5 assessor-collector shall notify the department when all payments
6 required under an agreement entered into under Section 152.0413,
7 Tax Code, have been made by an applicant.

8 (b) Not later than the fifth day after the date the
9 department receives notice from a county assessor-collector under
10 Subsection (a) and the department determines the requirements of
11 this chapter are met:

12 (1) the title shall be issued to the first lienholder
13 or to the applicant if a lien is not disclosed on the
14 application; or

15 (2) the department shall notify the applicant that the
16 department's titling system has established a record of title of
17 the motor vehicle in the applicant's name if a lien is not
18 disclosed. If a lien is disclosed on the application, the
19 department shall notify the lienholder that the lien has been
20 recorded.

21 SECTION 5. Subchapter C, Chapter 502, Transportation Code,
22 is amended by adding Section 502.096 to read as follows:

23 Sec. 502.096. REGISTRATION ON ISSUANCE OF MULTIPLE 30-DAY
24 TRIP PERMITS. (a) An owner of a vehicle may apply to register the
25 vehicle under Section 502.043 if:

26 (1) in the six-month period preceding the application,
27 the department has issued three or more permits for the vehicle

1 under Section 502.095(d); and

2 (2) the applicant:

3 (A) satisfies all other registration
4 requirements of this chapter; and

5 (B) subject to Subsection (b), pays all
6 applicable fees.

7 (b) An applicant under this section is exempt from a fee
8 imposed under Section 502.252 or 502.253.

9 (c) The registration period for a vehicle registered under
10 this section:

11 (1) begins on the first day of the month in which the
12 application is submitted; and

13 (2) ends on the last day of the 12th calendar month
14 after the first month for which a permit described by Subsection
15 (a)(1) was issued.

16 SECTION 6. As soon as practicable, but not later than
17 January 1, 2016, the comptroller of public accounts shall prescribe
18 the installment agreement form required by Section 152.0413(c), Tax
19 Code, as added by this Act.

20 SECTION 7. Section 152.041, Tax Code, as amended by this
21 Act, and Section 152.0413, Tax Code, as added by this Act, do not
22 affect taxes imposed before January 1, 2016, and the law in effect
23 before that date is continued in effect for purposes of the
24 liability for and collection of those taxes.

25 SECTION 8. This Act takes effect September 1, 2015.