

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 19, 2015

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB321 by Hinojosa (Relating to the amount of money transferred monthly from the state highway fund to the Texas emissions reduction plan fund.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB321, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from Texas Emissions Reduction Plan 5071	Probable Revenue Gain/(Loss) from State Highway Fund 6
2016	(\$24,138,000)	\$24,138,000
2017	(\$26,762,000)	\$26,762,000
2018	(\$27,297,000)	\$27,297,000
2019	(\$27,843,000)	\$27,843,000
2020	\$0	\$0

Fiscal Analysis

The bill would amend the Transportation Code relating to the amount of money transferred monthly from the State Highway Fund (SHF) No. 6 (Other Funds) to the General Revenue-Dedicated Texas Emissions Reduction Plan (TERP) Account No. 5071. The bill would provide that

the Texas Department of Transportation (TxDOT) transfer from the TERP Account No. 5071 only the amount of Certificate of Title Fees deposited to the Texas Mobility fund that are collected from applicants that reside in a county located in a nonattainment area as defined under Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407), as amended, or in an affected county, as defined by Section 386.001, Health and Safety Code.

The bill would take effect September 1, 2015. TxDOT would be required to comply with the bill's provisions beginning on October 1, 2015.

Methodology

Under current law, TxDOT is required to remit an amount from the SHF to the TERP Account No. 5071 equal to the amount of Certificate of Title fees deposited to the credit of the Texas Mobility Fund from all counties. Effective October 1, 2015, the bill would limit that transfer amount to the amount remitted for vehicle title fees from counties located in a nonattainment area. The estimated gain to the State Highway Fund and equal loss to the TERP Account No. 5071 was provided by the Comptroller of Public Accounts. The Comptroller reports that their estimates are based on information from the Department of Motor Vehicles for the amount of title fees remitted from those counties, adjusted for effective date, and projected forward based on growth rates in the 2016-17 Biennial Revenue Estimate. Pursuant to current law, the required remittance of SHF money to the TERP Account No. 5071 will expire on August 31, 2019 (end of fiscal year 2019).

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 582 Commission on Environmental Quality, 601 Department of Transportation

LBB Staff: UP, AG, NV, TG, TL