

By: Huberty

H.B. No. 402

A BILL TO BE ENTITLED

1 AN ACT
2 relating to money used by certain counties for the low-income
3 vehicle repair assistance, retrofit, and accelerated vehicle
4 retirement program and local initiative air quality projects.

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

6 SECTION 1. Section 403.071(b), Government Code, is amended
7 to read as follows:

8 (b) A claim may not be paid from an appropriation unless the
9 claim is presented to the comptroller for payment not later than two
10 years after the end of the fiscal year for which the appropriation
11 was made. However, a claim may be presented not later than four
12 years after the end of the fiscal year for which the appropriation
13 from which the claim is to be paid was made if the appropriation
14 relates to:

15 (1) new construction contracts;

16 (2) funding for a local initiative project described
17 by Section 382.220 or 382.221, Health and Safety Code, that
18 involves construction in a county described by Section 382.221,
19 Health and Safety Code;

20 (3) [~~to~~] grants awarded under Chapter 391, Health
21 and Safety Code;

22 (4) [~~or to~~] repair and remodeling projects that
23 exceed the amount of \$20,000, including furniture and other
24 equipment, architects' and engineering fees; or

1 (5) ~~[, and]~~ other costs related to the contracts, ~~[or]~~
2 projects, or grants.

3 SECTION 2. Section 382.202(g), Health and Safety Code, is
4 amended to read as follows:

5 (g) The commission shall:

6 (1) use part of the fee collected under Subsection (e)
7 to fund low-income vehicle repair assistance, retrofit, and
8 accelerated vehicle retirement programs created under Section
9 382.209; and

10 (2) to the extent practicable, distribute available
11 funding created under Subsection (e) among ~~[to]~~ participating
12 counties:

13 (A) in reasonable proportion to the amount of
14 fees collected under Subsection (e) in those counties or in the
15 regions in which those counties are located; and

16 (B) so that a county with a population of at least
17 four million receives 90 percent of the revenue derived from fees
18 collected in the county.

19 SECTION 3. Subchapter G, Chapter 382, Health and Safety
20 Code, is amended by adding Section 382.221 to read as follows:

21 Sec. 382.221. LOW-INCOME VEHICLE REPAIR ASSISTANCE,
22 RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM AND LOCAL
23 INITIATIVE PROJECTS IN CERTAIN COUNTIES. (a) This section applies
24 only to a county with a population of at least four million that
25 participates in the low-income vehicle repair assistance,
26 retrofit, and accelerated vehicle retirement program created under
27 Section 382.209.

1 (b) To the extent that this section is inconsistent or in
2 conflict with another provision of this subchapter, this section
3 prevails.

4 (c) A project a county implements under Section 382.220 may
5 include a program to enhance transportation system improvements,
6 including improvements meant to reduce congestion on existing
7 roads, but not including toll projects.

8 (d) A county may use fees collected under Sections 382.202
9 and 382.302 for a program or project described by Section 382.220 or
10 this section. A county that receives money under Section 382.220 or
11 this section:

12 (1) is not required to provide matching funds for a
13 program or project; and

14 (2) may allocate money to a program or project under
15 Section 382.209, Section 382.220, or this section at the discretion
16 of the county.

17 (e) Money used by a county to implement a program or project
18 under Section 382.220 or this section that involves construction
19 for a fiscal year may be distributed to the county to be used for the
20 program or project in subsequent fiscal years if the money has been
21 made available to the county and has been treated as a binding
22 encumbrance by the commission before the end of the appropriation
23 year of the money appropriated for those purposes. Distribution of
24 the money is subject to Section 403.071, Government Code.

25 SECTION 4. This Act takes effect September 1, 2017.