86R1935 JXC-F

By:  Huberty H.B. No. 813

A BILL TO BE ENTITLED

AN ACT

relating to money used by counties that participate in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

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

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

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

(1)  new construction contracts;

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

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

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

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

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

(g)  The commission shall:

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 4.  This Act takes effect September 1, 2019.