86R11021 SLB-D

By:  Raymond H.B. No. 2377

A BILL TO BE ENTITLED

AN ACT

relating to the re-creation, funding, and uses of the off-highway vehicle trail and recreational area account.

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

SECTION 1.  Section 11.046, Parks and Wildlife Code, is reenacted and amended to read as follows:

Sec. 11.046.  OFF-HIGHWAY VEHICLE TRAIL AND RECREATIONAL AREA ACCOUNT. (a) The off-highway vehicle trail and recreational area account is a separate account in the general revenue fund.

(b)  The department shall deposit to the credit of the off-highway vehicle trail and recreational area account all revenue, less allowable costs, from the following sources:

(1)  decal fees collected under Chapter 29;

(2)  fines assessed against persons operating off-highway vehicles in violation of Chapter 29 or any other law relating to the operation of off-highway vehicles;

(3)  all funding outside the general revenue fund received by the department under Section 29.007; [~~and~~]

(4)  revenue allocated for deposit to the account under Section 162.502, Tax Code; and

(5)  all interest that accrues to the account.

SECTION 2.  Section 11.047, Parks and Wildlife Code, is amended to read as follows:

Sec. 11.047.  USE OF OFF-HIGHWAY VEHICLE TRAIL AND RECREATIONAL AREA ACCOUNT. Money in the off-highway vehicle trail and recreational area account may be used only for expenditures necessary under Chapter 29 to:

(1)  acquire, construct, develop, and maintain trails and other recreational areas for use by owners and riders of off-highway vehicles as defined by Section 29.001;

(2)  provide access to those trails and recreational areas;

(3)  make grants under Section 29.008; [~~and~~]

(4)  establish an education and outreach program about the trails and recreational areas;

(5)  make safety information available on the trails and in the recreational areas; and

(6)  enforce and administer the off-highway vehicle trail and recreational area program, including by hiring law enforcement officers commissioned by the director to maintain the safety of the users of the trails and recreational areas.

SECTION 3.  Sections 162.502(b) and (c), Tax Code, are amended to read as follows:

(b)  The comptroller shall allocate and deposit these unclaimed refunds as follows:

(1)  25 percent of the revenues based on unclaimed refunds of taxes paid on motor fuel used in motorboats shall be deposited to the credit of the available school fund; [~~and~~]

(2)  if the balance of the off-highway vehicle trail and recreational area account is projected to be less than $20 million at any time during a state fiscal biennium, 10 percent of the revenues based on unclaimed refunds of taxes paid on motor fuel used in motorboats shall be deposited to the credit of that account; and

(3)  the remaining portion of the revenues based on unclaimed refunds of taxes paid on motor fuel used in motorboats [~~75 percent of the revenue~~] shall be deposited to the credit of the general revenue fund.

(c)  Money deposited to the credit of the general revenue fund under Subsection (b)(3) [~~(b)(2)~~] may be appropriated only to the Parks and Wildlife Department for any lawful purpose.

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