

By: Raymond

H.B. No. 2377

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the re-creation, funding, and uses of the off-highway
3 vehicle trail and recreational area account.

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

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

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

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

13 (1) decal fees collected under Chapter 29;

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

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

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

21 (5) all interest that accrues to the account.

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

24 Sec. 11.047. USE OF OFF-HIGHWAY VEHICLE TRAIL AND

1 RECREATIONAL AREA ACCOUNT. Money in the off-highway vehicle trail
2 and recreational area account may be used only for expenditures
3 necessary under Chapter 29 to:

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

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

9 (3) make grants under Section 29.008; ~~and~~

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

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

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

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

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

22 (1) 25 percent of the revenues based on unclaimed
23 refunds of taxes paid on motor fuel used in motorboats shall be
24 deposited to the credit of the available school fund; ~~and~~

25 (2) if the balance of the off-highway vehicle trail
26 and recreational area account is projected to be less than \$20
27 million at any time during a state fiscal biennium, 10 percent of

1 the revenues based on unclaimed refunds of taxes paid on motor fuel
2 used in motorboats shall be deposited to the credit of that account;
3 and

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

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

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