

BILL ANALYSIS

C.S.H.B. 2539
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Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A number of counties in Texas participated in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program in which a \$6 fee was collected for vehicle registrations and distributed proportionally to participating counties for air quality initiatives. When the program ended in 2018, approximately \$176.2 million in fees collected from vehicle owners in these counties was left in a state account and never distributed back to the participating counties. There have been calls to return these collected funds to counties to use for purposes authorized by existing statute such as projects relating to traffic safety and air quality. C.S.H.B. 2539 seeks to address this issue by requiring the Texas Commission on Environmental Quality to distribute the funds collected under the program to the counties that previously participated in the program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2539 amends the Health and Safety Code to require the Texas Commission on Environmental Quality (TCEQ), not later than January 1, 2022, to distribute to an applicable county all available money collected before September 1, 2021, from certain vehicle emissions-related inspection fees that was designated for the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program and is appropriated by the legislature for distribution. The bill applies to a county that is or was a participating county in the program and that has remitted to the state fees collected for the program.

C.S.H.B. 2539 requires TCEQ to distribute the money in reasonable proportion to the amount of those fees collected in the applicable counties or in the regions in which those counties are located. The bill restricts the use of money received by a county to funding certain authorized local initiative projects administered to improve air quality under the Texas Clean Air Act. The bill's provisions expire September 1, 2025. Implementation of a provision of the bill by TCEQ is mandatory only if a specific appropriation is made for that purpose.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2539 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a specification not in the original that the money to be distributed by TCEQ must be appropriated by the legislature for distribution.

The substitute includes a procedural provision not in the original conditioning the mandatory implementation of a bill provision by TCEQ on a specific appropriation made for that purpose.