

## **BILL ANALYSIS**

C.S.S.B. 1263  
By: Birdwell  
Appropriations  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the inability of fees collected under the Certificate of Title Act to be properly deposited into the Texas emissions reduction plan (TERP) fund outside the treasury as intended because of certain appropriation requirements. The comptroller of public accounts has called for the transfer of the portion of the fees dedicated to the fund to be simplified to ensure that the fund may be properly sustained. C.S.S.B. 1263 seeks to resolve this issue by redirecting these fees to the TERP fund.

### **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.S.B. 1263 amends the Transportation Code to redirect the deposit of all motor vehicle title fees collected under the Certificate of Title Act from the Texas Mobility Fund to the Texas emissions reduction plan (TERP) fund. Accordingly, the bill requires the Texas Department of Transportation (TxDOT) to remit to the comptroller of public accounts for deposit to the credit of the mobility fund an amount of money equal to the amount of the fees deposited by the comptroller to the credit of the TERP fund in the preceding month. The bill requires collected title fees sent to the comptroller to be deposited to the credit of the mobility fund if the fees are collected on or after the last day of the state fiscal biennium during which the Texas Commission on Environmental Quality (TCEQ) publishes the national ambient air quality standards for ozone in the Texas Register.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 1263 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include the following provisions, which appeared in the engrossed:

- a requirement for TCEQ and the comptroller to provide grants or other funding under the TERP for remittance of funds to the state highway fund for TxDOT congestion mitigation and air quality improvement projects in nonattainment areas;

- a requirement for TxDOT to annually report certain information on such projects to TCEQ; and
- provisions requiring the comptroller's remittance of money from the TERP fund to the state highway fund for such projects and providing for the transfer of a certain balance of the TERP fund to the credit of the state highway fund for such projects instead of to the TERP account.