

SENATE AMENDMENTS

2nd Printing

By: Herrero

H.B. No. 1315

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.

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

SECTION 1. Chapter 99, Health and Safety Code, is amended by adding Section 99.008 to read as follows:

Sec. 99.008. OPEN BURN PIT REGISTRY FUND. (a) The open burn pit registry fund is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;

(2) gifts and grants contributed to the fund;

(3) the earnings of the fund; and

(4) money deposited to the credit of the fund under Section 504.679, Transportation Code.

(b) Money in the fund may be appropriated only to the department. The department may use the money only for the creation and maintenance of the open burn pit registry established under Section 99.003, except that the department may use the money for any other purpose of the department consistent with legislative appropriation of the money if the department finds that the registry is adequately funded and contributions to the fund exceed the amount necessary for the registry to be adequately funded.

1 SECTION 2. Subchapter G, Chapter 504, Transportation Code,
2 is amended by adding Section 504.679 to read as follows:

3 Sec. 504.679. VETERANS EXPOSED TO OPEN BURN PITS. (a) The
4 department shall issue specialty license plates to honor members of
5 the United States armed forces who were exposed to open burn pits
6 during their military service. The license plates must include:

7 (1) the words "Burn Pits 360 Veterans Organization";

8 and

9 (2) a depiction of the Burn Pits 360 nonprofit
10 organization logo.

11 (b) After deduction of the department's administrative
12 costs, the remainder of the fee for issuance of the license plates
13 shall be deposited to the credit of the open burn pit registry fund
14 established under Section 99.008, Health and Safety Code.

15 (c) Section 504.702 does not apply to a specialty license
16 plate issued under this section.

17 SECTION 3. This Act takes effect September 1, 2023.

ADOPTED

MAY 04 2023

Latey Law
Secretary of the Senate

By: Herrero/Hinojosa

H.B. No. 1315

Substitute the following for H.B. No. 1315 :

By: Wad

C.S.H.B. No. 1315

A BILL TO BE ENTITLED

AN ACT

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relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.

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

SECTION 1. This Act may be cited as the Le Roy and Rosie Torres Act.

SECTION 2. Chapter 99, Health and Safety Code, is amended by adding Section 99.008 to read as follows:

Sec. 99.008. OPEN BURN PIT REGISTRY FUND. (a) The open burn pit registry fund is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;

(2) gifts and grants contributed to the fund;

(3) the earnings of the fund; and

(4) money deposited to the credit of the fund under Section 504.679, Transportation Code.

(b) Money in the fund may be appropriated only to the department. The department may use the money only for the creation and maintenance of the open burn pit registry established under Section 99.003, except that the department may use the money for any other purpose of the department consistent with legislative appropriation of the money if the department finds that the

1 registry is adequately funded and contributions to the fund exceed
2 the amount necessary for the registry to be adequately funded.

3 SECTION 3. Subchapter G, Chapter 504, Transportation Code,
4 is amended by adding Section 504.679 to read as follows:

5 Sec. 504.679. VETERANS EXPOSED TO OPEN BURN PITS. (a) The
6 department shall issue specialty license plates to honor members of
7 the United States armed forces who were exposed to open burn pits
8 during their military service. The license plates must include:

9 (1) the words "Burn Pits 360 Veterans Organization";
10 and

11 (2) a depiction of the Burn Pits 360 nonprofit
12 organization logo.

13 (b) After deduction of the department's administrative
14 costs, the remainder of the fee for issuance of the license plates
15 shall be deposited to the credit of the open burn pit registry fund
16 established under Section 99.008, Health and Safety Code.

17 (c) Section 504.702 does not apply to a specialty license
18 plate issued under this section.

19 SECTION 4. This Act takes effect September 1, 2023.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 4, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1315 by Herrero (Relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would create the Open Burn Pit Registry Fund in the state treasury outside the General Revenue Fund. The bill would authorize money in the fund to be appropriated only to the Department of State Health Services (DSHS) for the purpose of creating and maintaining the open burn pit registry.

Based on the information provided by TxDMV and DSHS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agencies' existing resources.

Additionally, according to information provided by the Texas Comptroller of Public Accounts, the fiscal impact to the State resulting from the implementation of the bill cannot be determined.

Note: This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either in, with, or outside the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 537 State Health Services, Department of, 608 Department of Motor Vehicles

LBB Staff: JMc, SD, AAL, APA, AF, ER

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 28, 2023

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1315 by Herrero (relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.), **Committee Report 2nd House, Substituted**

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LBB Staff: JMc, AAL, APA, AF, ER

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 25, 2023

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1315 by Herrero (Relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.), **As Engrossed**

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Local Government Impact

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Source Agencies: 304 Comptroller of Public Accounts, 537 State Health Services, Department of, 608 Department of Motor Vehicles

LBB Staff: JMc, AAL, APA, AF, ER

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 15, 2023

TO: Honorable Terry M. Wilson, Chair, House Committee on Defense & Veterans' Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1315 by Herrero (Relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.), **As Introduced**

No significant fiscal implication to the State is anticipated.

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Based on the information provided by TxDMV and DSHS, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agencies' existing resources.

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