

By: Cook, Geren, Gerdes, Martinez,
Perez of Harris

H.B. No. 2983

Substitute the following for H.B. No. 2983:

By: Phelan

C.S.H.B. No. 2983

A BILL TO BE ENTITLED

AN ACT

relating to impoundment, storage, and notification fees for
vehicles stored at vehicle storage facilities; authorizing fee
increases and decreases; requiring the adjustment of authorized
fees.

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

SECTION 1. Sections 2303.155(b) and (c), Occupations Code,
are amended to read as follows:

(b) The operator of a vehicle storage facility or
governmental vehicle storage facility may charge the owner of a
vehicle stored or parked at the facility:

(1) a notification fee set in a reasonable amount,
subject to Subsection (c), for providing notice under this
subchapter, including notice under Section 2303.154(c);

(2) an impoundment fee of \$20, subject to Section
2303.1552, for any action that:

(A) is taken by or at the direction of the owner
or operator of the facility; and

(B) is necessary to preserve, protect, or service
a vehicle stored or parked at the facility;

(3) a daily storage fee, subject to Section 2303.1552,
of:

(A) \$20 for each day or part of a day the vehicle
is stored at the facility if the vehicle is not an electric or

1 hybrid passenger vehicle and is not longer than 25 feet; ~~or~~

2 (B) \$35 for each day or part of a day the vehicle
3 is stored at the facility if the vehicle is not an electric or
4 hybrid passenger vehicle and is longer than 25 feet; or

5 (C) \$70 for each day or part of a day the vehicle
6 is stored at the facility if the vehicle is an electric or hybrid
7 passenger vehicle; and

8 (4) any fee that is required to be submitted to a law
9 enforcement agency, the agency's authorized agent, or a
10 governmental entity.

11 (c) A notification fee under Subsection (b) may not, subject
12 to Section 2303.1552, exceed \$50, except that if notice by
13 publication is required by this chapter and the cost of publication
14 exceeds 50 percent of the notification fee, the vehicle storage
15 facility may recover the additional amount of the cost of
16 publication from the vehicle owner or agent.

17 SECTION 2. Section 2303.1552(b), Occupations Code, is
18 amended to read as follows:

19 (b) Each even-numbered ~~[odd-numbered]~~ year, the commission,
20 not later than February ~~[November]~~ 1:

21 (1) by rule may adjust the impoundment fee under
22 Section 2303.155(b)(2), ~~[and]~~ the storage fees under Section
23 2303.155(b)(3), and the maximum amount of the notification fee
24 under Section 2303.155(c) by an amount equal to the amount of the
25 applicable impoundment or storage fee or maximum notification fee
26 in effect on December 31 of the preceding year multiplied by the
27 percentage increase or decrease, if any, in the consumer price

index during the [~~preceding~~] state fiscal biennium ending August 31 of the year preceding the year in which the commission adopts a final rule under this section; and

(2) if a fee or maximum amount is [~~the fees are~~] adjusted under Subdivision (1), shall publish the adjusted fee or maximum amount [~~fees~~] on the department's Internet website.

SECTION 3. Subchapter D, Chapter 2303, Occupations Code, is amended by adding Sections 2303.1553 and 2303.1554 to read as follows:

Sec. 2303.1553. ONE-TIME ADJUSTMENT TO CERTAIN FEES: TEMPORARY PROVISION. (a) Not later than February 1, 2026, the commission shall:

(1) adjust the impoundment fee under Section 2303.155(b)(2), the storage fees under Section 2303.155(b)(3), and the maximum amount of the notification fee under Section 2303.155(c) by an amount equal to the amount of the applicable fee or maximum amount in effect on December 31, 2005, multiplied by the percentage increase or decrease, if any, in the consumer price index, as defined by Section 2303.1552(a), that occurred during the period beginning December 31, 2005, and ending December 31, 2019; and

(2) if a fee or maximum amount is adjusted under Subdivision (1), publish the adjusted fee or maximum amount on the department's Internet website.

(b) This section expires September 1, 2027.

Sec. 2303.1554. ONE-TIME INCREASE TO NOTIFICATION FEE MAXIMUM AMOUNT: TEMPORARY PROVISION. (a) Not later than February 1,

1 2026, the commission shall increase the maximum amount of the
2 notification fee under Section 2303.155(c) by an amount equal to
3 the sum of:

4 (1) the maximum amount of the notification fee in
5 effect on December 31, 2019, multiplied by the percentage increase
6 the commission applied to the impoundment fee under Section
7 2303.155(b)(2) and the storage fees under Section 2303.155(b)(3) in
8 the final rule adopted by the commission under Section 2303.1552(b)
9 on October 25, 2019, 44 Tex. Reg. 6365 (2019);

10 (2) the maximum amount of the notification fee as
11 adjusted under Section 2303.1553(a)(1) multiplied by the
12 percentage increase the commission applied to the impoundment fee
13 under Section 2303.155(b)(2) and the storage fees under Section
14 2303.155(b)(3) in the final rule adopted by the commission under
15 Section 2303.1552(b) on October 29, 2021, 46 Tex. Reg. 7399 (2021);
16 and

17 (3) the maximum amount of the notification fee as
18 adjusted under Subdivision (2) multiplied by the percentage
19 increase the commission applied to the impoundment fee under
20 Section 2303.155(b)(2) and the storage fees under Section
21 2303.155(b)(3) in the final rule adopted by the commission under
22 Section 2303.1552(b) on January 5, 2024, 49 Tex. Reg. 38 (2024).

23 (b) This section expires September 1, 2027.

24 SECTION 4. This Act takes effect September 1, 2025.