

## **BILL ANALYSIS**

S.B. 321  
By: Hinojosa  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that the Texas emissions reduction plan account, which was established to help reduce certain vehicle emissions by providing grants and rebates, is achieving significant reductions in air emissions and has garnered the support of a diverse coalition of businesses, industries, local governments, environmental groups, and other stakeholders. These parties contend, however, that the account's revenues from certain fees deposited to the account significantly exceed appropriations, leaving a large fund balance in the account. S.B. 321 seeks to reduce the balance of the account by revising provisions relating to the collection and disposition of fees under the Certificate of Title Act.

### **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**

S.B. 321 amends the Transportation Code to remove the requirement that \$5 of each fee imposed on an applicant for a motor vehicle certificate of title be deposited on or after September 1, 2008, and before September 1, 2015, to the credit of the Texas emissions reduction plan fund if the applicant's residence is a county located within a nonattainment area as defined under the federal Clean Air Act or is an affected county as defined for purposes of the Texas emissions reduction plan. The bill specifies that the amount of fees deposited to the credit of the Texas Mobility Fund for which the comptroller of public accounts is required to keep a record is the amount of those fees deposited to the fund that are attributable to such applicants. The bill clarifies that the amount of money the Texas Department of Transportation (TxDOT) is required to remit to the comptroller for deposit to the credit of the Texas emissions reduction plan fund, on or before the fifth workday of each month, is equal to the amount of such fees deposited in the preceding month.

S.B. 321 establishes that TxDOT is not required to comply with statutory provisions relating to the remittance of fees as amended by the bill until October 1, 2015, and requires TxDOT, before that date, to comply with those provisions as they existed on August 31, 2015.

### **EFFECTIVE DATE**

September 1, 2015.