

BILL ANALYSIS

Senate Research Center

H.B. 352
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Intergovernmental Relations
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Engrossed

DIGEST

In 1989, the legislature attempted to regulate certain municipalities' use of "speed traps" by enacting a law limiting the amount of traffic-fine revenue retained by a municipality with a population of 5,000 or less to 30 percent of its total revenue from the preceding fiscal year. The 74th Legislature sought to prevent cities from circumventing the intent of the law by correcting technical deficiencies in 1995, but the corrections were not carried into the Transportation Code by the recodification of the law that same year. Under current statute, the 30 percent limit applies only to violations of highway laws in Title 7G, Transportation Code. H.B. 352 would apply the limitation to revenue collected under all of Title 7.

PURPOSE

As proposed, H.B. 352 establishes the limit on fines collected by municipalities for traffic violations.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 542.402, Transportation Code, to require a municipality or county to use a fine collected for a violation of a highway law in this title, rather than subtitle, for certain construction, enforcement of laws, and for defraying the expenses of county traffic officers.. Deletes text regarding highway laws. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.