

BILL ANALYSIS

Senate Research Center
81R23014 MTB-D

C.S.S.J.R. 52
By: Davis, Wendy
Transportation
4/8/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 7-a (Revenues From Motor Vehicle Registration Fees and Taxes on Motor Fuels and Lubricants; Purposes For Which Used), Article VIII (Taxation and Revenue), of the Texas Constitution restricts funds collected from motor vehicle registration fees and motor fuels taxes for use on a variety of transportation purposes. These include acquiring rights-of-way, constructing, maintaining, and policing public roadways, and traffic safety purposes on such roads.

C.S.S.J.R. 52 proposes an amendment to Article VIII, Texas Constitution, that would permit the legislature to authorize a county to assess and collect a local motor fuels tax and an additional vehicle registration fee to be used for mobility improvement projects, including for passenger rail, transit, and freight rail systems.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends, Article VIII, Texas Constitution, by adding Section 7-c, as follows:

Sec. 7-c. (a) Authorizes the legislature by general law to authorize a county to assess and collect a local tax on the sale of gasoline and diesel fuel in the county; assess and collect an additional vehicle registration fee on a vehicle registered in the county; and use all revenue derived from the tax and fee for mobility improvement projects, including acquiring rights-of-way, constructing and maintaining public roadways of the county, and providing funding for the construction, maintenance, and operation of passenger rail, transit, and freight rail systems.

(b) Authorizes revenue derived from a tax or fee authorized by Subsection (a) of this section to only be used as provided by that subsection, notwithstanding any other provision of this constitution.

(c) Provides that Section 7-a of this article does not apply to a tax authorized by this section.

SECTION 2. Requires that this proposed constitutional amendment be submitted to the voters at an election to be held November 3, 2009. Sets forth the required language for the ballot.