

## **BILL ANALYSIS**

Senate Research Center  
84R11998 AAF-F

S.B. 1451  
By: Ellis  
Transportation  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under Section 502.193, Transportation Code, a county assessor-collector that receives a bounced check or failed draft of payment for a registration fee has authorization to notify a sheriff, constable, or highway patrol officer if they cannot get into contact with the individual who made the failed payment. After receiving a formal complaint from the county assessor-collector, the sheriff, constable, or highway patrol officer is required to find the person who made the failed payment and demand immediate redemption of the payment. If the payment is still not received then law enforcement officer is authorized to remove the license plates and registration insignia from the vehicle and return the license plates and registration insignia to the county assessor-collector.

While Section 502.193 establishes a procedure for revoking registration from individuals who provided failed written payment, it does not apply to disputed credit card payments, so if the credit or debit card payment used to pay the registration fee is disputed, there is no procedure in place for revoking registration.

S.B. 1451 would address the issue of a disputed credit or debit card payment for a registration fee by establishing a procedure for disputed credit or debit card payments similar to the procedure already in place for failed written payments.

As proposed, S.B. 1451 amends current law relating to the disputed payment by a credit card or debit card of a vehicle registration fee.

### **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 Subchapter E, Chapter 502, Transportation Code, by adding Section 502.1931, as follows:

Sec. 502.1931 DISPUTED PAYMENT BY CREDIT CARD OR DEBIT CARD. (a) Requires a county assessor-collector who receives from any person a payment by credit card or debit card for a registration fee for a registration year that has not ended that is returned unpaid because the payment by the credit card or debit card has been disputed by the credit card or debit card company to certify the fact to the sheriff or a constable or highway patrol officer in the county after attempts to contact the person fail to result in the collection of payment. Requires that the certification be made before the 30th day after the date the assessor-collector is made aware that the credit card or debit card payment has been disputed and:

- (1) be under the assessor-collector's official seal;
- (2) include the name and address of the person who authorized the credit card or debit card payment;

(3) include the license plate number and make of the vehicle;

(4) be accompanied by evidence from the credit card or debit card company that the company has determined that it will not make payment on the disputed credit card or debit card charge; and

(5) be accompanied by documentation of any attempt to contact the person and collect payment.

(b) Requires the sheriff, constable, or highway patrol officer, on receiving a complaint under Subsection (a) from the county assessor-collector, to find the person who authorized the credit card or debit card payment, if the person is in the county, and demand immediate redemption of payment from the person. Requires the sheriff, constable, or highway patrol officer, if the person fails or refuses to redeem the payment, to seize and remove the license plates and registration insignia from the vehicle, and return the license plates and registration insignia to the assessor-collector.

SECTION 2. Provides that the change in law made by this Act applies only to a payment of a registration fee submitted to a county assessor-collector on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.