

By: Simmons

H.B. No. 373

A BILL TO BE ENTITLED

AN ACT

relating to the allocation of certain revenue from the taxes imposed on the sale, rental, or use of motor vehicles to the state highway fund and to the uses of that revenue.

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

SECTION 1. Section 152.122, Tax Code, is amended to read as follows:

Sec. 152.122. ALLOCATION AND USE OF TAX. (a) Subject to Section 152.1222, the ~~[The]~~ comptroller shall deposit the funds received under Sections 152.043, 152.045, 152.047, and [Section 152.121 ~~[of this code]~~ as follows:

(1) in the state fiscal year beginning September 1, 2015, 1/6 to the credit of the state highway fund and the remainder [1/4] to the credit of the general revenue ~~[foundation school]~~ fund; ~~[and]~~

(2) in the state fiscal year beginning September 1, 2016, 1/3 to the credit of the state highway fund and the remainder ~~[remaining funds]~~ to the credit of the general revenue fund;

(3) in the state fiscal year beginning September 1, 2017, 1/2 to the credit of the state highway fund and the remainder to the credit of the general revenue fund;

(4) in the state fiscal year beginning September 1, 2018, 2/3 to the credit of the state highway fund and the remainder to the credit of the general revenue fund;

1 (5) in the state fiscal year beginning September 1,
2 2019, 5/6 to the credit of the state highway fund and the remainder
3 to the credit of the general revenue fund; and

4 (6) in state fiscal years beginning on or after
5 September 1, 2020, 100 percent to the credit of the state highway
6 fund.

7 (b) Money deposited to the credit of the state highway fund
8 under this section:

9 (1) may be appropriated only for a purpose authorized
10 by Section 7-a, Article VIII, Texas Constitution; and

11 (2) may not be used for:

12 (A) a toll road or a toll project; or

13 (B) a mass transit rail system, including a
14 trolley.

15 SECTION 2. In addition to the substantive changes made by
16 this Act, this Act conforms Section 152.122, Tax Code, to the method
17 of allocating motor vehicle sales and use taxes in effect before the
18 effective date of this Act. Section 11.04, Chapter 4 (S.B. 3), Acts
19 of the 72nd Legislature, 1st Called Session, 1991, enacted former
20 Section 403.094(h), Government Code, which abolished certain state
21 fund dedications and resulted in the abolition of the allocation to
22 the foundation school fund effective August 31, 1995.

23 SECTION 3. This Act takes effect September 1, 2015.