

1-1 By: Darby, et al. (Senate Sponsor - Nelson) H.B. No. 7
 1-2 (In the Senate - Received from the House April 29, 2015;
 1-3 May 6, 2015, read first time and referred to Committee on Finance;
 1-4 May 18, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 14, Nays 0; May 18, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Nelson	X			
1-9 Hinojosa	X			
1-10 Bettencourt	X			
1-11 Eltife			X	
1-12 Hancock	X			
1-13 Huffman	X			
1-14 Kolkhorst	X			
1-15 Nichols	X			
1-16 Schwertner	X			
1-17 Seliger	X			
1-18 Taylor of Galveston	X			
1-19 Uresti	X			
1-20 Watson	X			
1-21 West	X			
1-22 Whitmire	X			

1-24 COMMITTEE SUBSTITUTE FOR H.B. No. 7 By: Nelson

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to the amounts, availability, and use of certain
 1-28 statutorily dedicated revenue and accounts; providing for the
 1-29 dedication and use of certain state revenue; reducing or affecting
 1-30 the amounts or rates of certain statutorily dedicated fees and
 1-31 assessments.

1-32 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-33 SECTION 1. Section 102.054, Business & Commerce Code, is
 1-34 amended to read as follows:

1-35 Sec. 102.054. ALLOCATION OF CERTAIN REVENUE FOR SEXUAL
 1-36 ASSAULT PROGRAMS. The comptroller shall deposit the amounts [~~first~~
 1-37 ~~\$25 million~~] received from the fee imposed under this subchapter
 1-38 [~~in a state fiscal biennium~~] to the credit of the sexual assault
 1-39 program fund.

1-40 SECTION 2. Section 21.703, Education Code, is amended to
 1-41 read as follows:

1-42 Sec. 21.703. [~~EDUCATOR EXCELLENCE INNOVATION FUND,~~] AMOUNT
 1-43 OF GRANT AWARD. (a) [~~Each state fiscal year, the commissioner~~
 1-44 ~~shall deposit an amount determined by the General Appropriations~~
 1-45 ~~Act to the credit of the educator excellence innovation fund in the~~
 1-46 ~~general revenue fund.~~] Each state fiscal year, the agency shall
 1-47 [~~use money in the educator excellence innovation fund to~~] provide
 1-48 each school district approved on a competitive basis under this
 1-49 subchapter with a grant in an amount determined by the agency in
 1-50 accordance with commissioner rule.

1-51 (b) Not later than April 1 of each state fiscal year, the
 1-52 agency shall provide written notice to each school district that
 1-53 will be provided a grant under this section that the district will
 1-54 be provided the grant and the amount of that grant.

1-55 SECTION 3. Section 61.5391(a), Education Code, is amended
 1-56 to read as follows:

1-57 (a) The physician education loan repayment program account
 1-58 is an account in the general revenue fund. The account is composed
 1-59 of:

- 1-60 (1) gifts and grants contributed to the account;

2-1 (2) earnings on the principal of the account; and
 2-2 (3) other amounts deposited to the credit of the
 2-3 account, including:
 2-4 (A) money deposited under Section [~~61.539(b) or~~
 2-5 61.5392];
 2-6 (B) legislative appropriations; and
 2-7 (C) money deposited under Section 155.2415, Tax
 2-8 Code.

2-9 SECTION 4. Subchapter B, Chapter 403, Government Code, is
 2-10 amended by adding Section 403.0143 to read as follows:

2-11 Sec. 403.0143. REPORT ON USE OF GENERAL REVENUE-DEDICATED
 2-12 ACCOUNTS. After each regular session of the legislature, the
 2-13 comptroller shall issue a report that itemizes each general
 2-14 revenue-dedicated account and the estimated balance and revenue in
 2-15 each account that is considered available for the purposes of
 2-16 certification of appropriations as provided by Section 403.095.
 2-17 The comptroller shall publish the report on the comptroller's
 2-18 Internet website.

2-19 SECTION 5. Section 403.0956, Government Code, is amended to
 2-20 read as follows:

2-21 Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
 2-22 DEDICATED REVENUE. Notwithstanding any other law, all interest or
 2-23 other earnings that accrue on all revenue held in an account in the
 2-24 general revenue fund any part of which Section 403.095 makes
 2-25 available for certification under Section 403.121 are available for
 2-26 any general governmental purpose, and the comptroller shall deposit
 2-27 the interest and earnings to the credit of the general revenue
 2-28 fund. This section does not apply to:

- 2-29 (1) interest or earnings on revenue deposited in
 2-30 accordance with Section 51.008, Education Code;
- 2-31 (2) an account that accrues interest or other earnings
 2-32 on deposits of state or federal money the diversion of which is
 2-33 specifically excluded by federal law;
- 2-34 (3) the lifetime license endowment account; [~~or~~]
- 2-35 (4) the game, fish, and water safety account;
- 2-36 (5) the coastal protection account;
- 2-37 (6) the Alamo complex account; or
- 2-38 (7) the artificial reef account.

2-39 SECTION 6. Section 420.008(c), Government Code, is amended
 2-40 to read as follows:

2-41 (c) The legislature may appropriate money deposited to the
 2-42 credit of the fund only to:

- 2-43 (1) the attorney general, for:
 - 2-44 (A) sexual violence awareness and prevention
 2-45 campaigns;
 - 2-46 (B) grants to faith-based groups, independent
 2-47 school districts, and community action organizations for programs
 2-48 for the prevention of sexual assault and programs for victims of
 2-49 human trafficking;
 - 2-50 (C) grants for equipment for sexual assault nurse
 2-51 examiner programs, to support the preceptorship of future sexual
 2-52 assault nurse examiners, and for the continuing education of sexual
 2-53 assault nurse examiners;
 - 2-54 (D) grants to increase the level of sexual
 2-55 assault services in this state;
 - 2-56 (E) grants to support victim assistance
 2-57 coordinators;
 - 2-58 (F) grants to support technology in rape crisis
 2-59 centers;
 - 2-60 (G) grants to and contracts with a statewide
 2-61 nonprofit organization exempt from federal income taxation under
 2-62 Section 501(c)(3), Internal Revenue Code of 1986, having as a
 2-63 primary purpose ending sexual violence in this state, for programs
 2-64 for the prevention of sexual violence, outreach programs, and
 2-65 technical assistance to and support of youth and rape crisis
 2-66 centers working to prevent sexual violence; [~~and~~]
 - 2-67 (H) grants to regional nonprofit providers of
 2-68 civil legal services to provide legal assistance for sexual assault
 2-69 victims;

3-1 (I) grants to prevent sex trafficking and to
3-2 provide services for victims of sex trafficking; and
3-3 (J) grants to carry out the purpose of this
3-4 chapter, including standardizing the quality of services provided,
3-5 preventing sexual assault, and improving services to survivors of
3-6 sexual assault;
3-7 (2) the Department of State Health Services, to
3-8 measure the prevalence of sexual assault in this state and for
3-9 grants to support programs assisting victims of human trafficking;
3-10 (3) the Institute on Domestic Violence and Sexual
3-11 Assault or the Bureau of Business Research at The University of
3-12 Texas at Austin, to conduct research on all aspects of sexual
3-13 assault and domestic violence;
3-14 (4) Texas State University, for training and technical
3-15 assistance to independent school districts for campus safety;
3-16 (5) the office of the governor, for grants to support
3-17 sexual assault and human trafficking prosecution projects;
3-18 (6) the department [~~Department of Public Safety~~], to
3-19 support sexual assault training for commissioned officers;
3-20 (7) the comptroller's judiciary section, for
3-21 increasing the capacity of the sex offender civil commitment
3-22 program;
3-23 (8) the Texas Department of Criminal Justice:
3-24 (A) for pilot projects for monitoring sex
3-25 offenders on parole; and
3-26 (B) for increasing the number of adult
3-27 incarcerated sex offenders receiving treatment;
3-28 (9) the Texas Juvenile Justice Department [~~Youth~~
3-29 ~~Commission~~], for increasing the number of incarcerated juvenile sex
3-30 offenders receiving treatment;
3-31 (10) the comptroller, for the administration of the
3-32 fee imposed on sexually oriented businesses under Section 102.052,
3-33 Business & Commerce Code; [~~and~~]
3-34 (11) the supreme court, to be transferred to the Texas
3-35 [~~Equal~~] Access to Justice Foundation, or a similar entity, to
3-36 provide victim-related legal services to sexual assault victims,
3-37 including legal assistance with protective orders,
3-38 relocation-related matters, victim compensation, and actions to
3-39 secure privacy protections available to victims under law;
3-40 (12) any state agency or organization for the purpose
3-41 of conducting human trafficking enforcement programs; and
3-42 (13) any other designated state agency for the purpose
3-43 of preventing sexual assault or improving services for victims of
3-44 sexual assault.
3-45 SECTION 7. Section 614.104, Government Code, is amended by
3-46 amending Subsections (a) and (b) and adding Subsection (d) to read
3-47 as follows:
3-48 (a) The volunteer fire department assistance fund is an
3-49 account in the general revenue fund and is composed of money
3-50 collected under Chapter 2007 [~~Article 5.102~~], Insurance Code, and
3-51 contributions to the fund from any other source.
3-52 (b) Except as provided by Subsections [~~Subsection~~] (c) and
3-53 (d), money in the fund may be used only for a purpose under this
3-54 subchapter.
3-55 (d) Money in the fund may be appropriated for a contribution
3-56 to the Texas Emergency Services Retirement System subject to
3-57 Section 865.015.
3-58 SECTION 8. Section 361.014(a), Health and Safety Code, is
3-59 amended to read as follows:
3-60 (a) Revenue received by the commission under Section
3-61 361.013 shall be deposited in the state treasury to the credit of
3-62 the commission. Of that revenue, 66.7 percent is dedicated to the
3-63 commission's municipal solid waste permitting programs,
3-64 enforcement programs, and site remediation programs, and to pay for
3-65 activities that will enhance the state's solid waste management
3-66 program. The commission shall issue a biennial report to the
3-67 legislature describing in detail how the money was spent. The
3-68 activities to enhance the state's solid waste management program
3-69 may include:

4-1 (1) provision of funds for the municipal solid waste
4-2 management planning fund and the municipal solid waste resource
4-3 recovery applied research and technical assistance fund
4-4 established by the Comprehensive Municipal Solid Waste Management,
4-5 Resource Recovery, and Conservation Act (Chapter 363);
4-6 (2) conduct of demonstration projects and studies to
4-7 help local governments of various populations and the private
4-8 sector to convert to accounting systems and set rates that reflect
4-9 the full costs of providing waste management services and are
4-10 proportionate to the amount of waste generated;
4-11 (3) provision of technical assistance to local
4-12 governments concerning solid waste management;
4-13 (4) establishment of a solid waste resource center in
4-14 the commission and an office of waste minimization and recycling;
4-15 (5) provision of supplemental funding to local
4-16 governments for the enforcement of this chapter, the Texas Litter
4-17 Abatement Act (Chapter 365), and Chapters 391 and 683,
4-18 Transportation Code;
4-19 (6) conduct of a statewide public awareness program
4-20 concerning solid waste management;
4-21 (7) provision of supplemental funds for other state
4-22 agencies with responsibilities concerning solid waste management,
4-23 recycling, and other initiatives with the purpose of diverting
4-24 recyclable waste from landfills;
4-25 (8) conduct of research to promote the development and
4-26 stimulation of markets for recycled waste products;
4-27 (9) creation of a state municipal solid waste
4-28 superfund, from funds appropriated, for:
4-29 (A) the cleanup of unauthorized tire dumps and
4-30 solid waste dumps for which a responsible party cannot be located or
4-31 is not immediately financially able to provide the cleanup;
4-32 (B) the cleanup or proper closure of abandoned or
4-33 contaminated municipal solid waste sites for which a responsible
4-34 party is not immediately financially able to provide the cleanup;
4-35 and
4-36 (C) remediation, cleanup, and proper closure of
4-37 unauthorized recycling sites for which a responsible party is not
4-38 immediately financially able to perform the remediation, cleanup,
4-39 and closure;
4-40 (10) provision of funds to mitigate the economic and
4-41 environmental impacts of lead-acid battery recycling activities on
4-42 local governments; ~~and~~
4-43 (11) provision of funds for the conduct of research by
4-44 a public or private entity to assist the state in developing new
4-45 technologies and methods to reduce the amount of municipal waste
4-46 disposed of in landfills; and
4-47 (12) provision of funds for grants to encourage
4-48 entities located in an affected county or a nonattainment area, as
4-49 defined by Section 386.001, to convert heavy-duty vehicles used for
4-50 municipal solid waste collection into vehicles powered by natural
4-51 gas engines.
4-52 SECTION 9. Section 361.133, Health and Safety Code, is
4-53 amended by adding Subsection (c-1) to read as follows:
4-54 (c-1) Notwithstanding Subsection (c), money in the account
4-55 attributable to fees imposed under Section 361.138 may be used for
4-56 environmental remediation at the site of a closed battery recycling
4-57 facility located in the municipal boundaries of a municipality with
4-58 a population of greater than 120,000. This subsection expires
4-59 September 30, 2016.
4-60 SECTION 10. Section 382.0622(a), Health and Safety Code, is
4-61 amended to read as follows:
4-62 (a) Clean Air Act fees consist of:
4-63 (1) fees collected by the commission under Sections
4-64 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided
4-65 by law;
4-66 (2) \$2 from the portion of each fee collected for
4-67 inspections of vehicles other than mopeds and remitted to the state
4-68 under Sections [Section] 548.501 and 548.503, Transportation Code;
4-69 and

5-1 (3) fees collected that are required under Section 185
5-2 of the federal Clean Air Act (42 U.S.C. Section 7511d).

5-3 SECTION 11. The heading to Section 780.002, Health and
5-4 Safety Code, is amended to read as follows:

5-5 Sec. 780.002. CERTAIN DEPOSITS TO ACCOUNT.

5-6 SECTION 12. Section 780.003(b), Health and Safety Code, is
5-7 amended to read as follows:

5-8 (b) The account is composed of money deposited to the credit
5-9 of the account under Sections 542.406 and 707.008, Transportation
5-10 Code, and under Section 780.002 of this code~~[, and the earnings of~~
5-11 ~~the account]~~.

5-12 SECTION 13. Section 2007.002, Insurance Code, is amended to
5-13 read as follows:

5-14 Sec. 2007.002. ASSESSMENT. The comptroller shall assess
5-15 against all insurers to which this chapter applies amounts for each
5-16 state fiscal year necessary, as determined by the commissioner, to
5-17 collect a combined total equal to the lesser of:

5-18 (1) the total amount that the General Appropriations
5-19 Act appropriates from the volunteer fire department assistance fund
5-20 account in the general revenue fund for that state fiscal year other
5-21 than appropriations for contributions to the Texas Emergency
5-22 Services Retirement System made under Section 614.104(d),
5-23 Government Code; or [and]

5-24 (2) \$30 million.

5-25 SECTION 14. Section 81.0521(c), Natural Resources Code, is
5-26 amended to read as follows:

5-27 (c) ~~The [Two-thirds of the]~~ proceeds from this fee,
5-28 excluding any penalties collected in connection with the fee, shall
5-29 be deposited to the oil and gas regulation and cleanup fund as
5-30 provided by Section 81.067.

5-31 SECTION 15. Section 81.067(c), Natural Resources Code, is
5-32 amended to read as follows:

5-33 (c) The fund consists of:

5-34 (1) proceeds from bonds and other financial security
5-35 required by this chapter and benefits under well-specific plugging
5-36 insurance policies described by Section 91.104(c) that are paid to
5-37 the state as contingent beneficiary of the policies, subject to the
5-38 refund provisions of Section 91.1091, if applicable;

5-39 (2) private contributions, including contributions
5-40 made under Section 89.084;

5-41 (3) expenses collected under Section 89.083;

5-42 (4) fees imposed under Section 85.2021;

5-43 (5) costs recovered under Section 91.457 or 91.459;

5-44 (6) proceeds collected under Sections 89.085 and
5-45 91.115;

5-46 (7) interest earned on the funds deposited in the
5-47 fund;

5-48 (8) oil and gas waste hauler permit application fees
5-49 collected under Section 29.015, Water Code;

5-50 (9) costs recovered under Section 91.113(f);

5-51 (10) hazardous oil and gas waste generation fees
5-52 collected under Section 91.605;

5-53 (11) oil-field cleanup regulatory fees on oil
5-54 collected under Section 81.116;

5-55 (12) oil-field cleanup regulatory fees on gas
5-56 collected under Section 81.117;

5-57 (13) fees for a reissued certificate collected under
5-58 Section 91.707;

5-59 (14) fees collected under Section 91.1013;

5-60 (15) fees collected under Section 89.088;

5-61 (16) fees collected under Section 91.142;

5-62 (17) fees collected under Section 91.654;

5-63 (18) costs recovered under Sections 91.656 and 91.657;

5-64 (19) ~~[two-thirds of the]~~ fees collected under Section
5-65 81.0521;

5-66 (20) fees collected under Sections 89.024 and 89.026;

5-67 (21) legislative appropriations;

5-68 (22) any surcharges collected under Section 81.070;

5-69 ~~[and]~~

6-1 (23) fees collected under Section 91.0115;
 6-2 (24) money deposited to the credit of the fund under
 6-3 Section 81.112;

6-4 (25) fees collected under Subchapter E, Chapter 121,
 6-5 Utilities Code; and

6-6 (26) fees collected under Section 27.0321, Water Code.

6-7 SECTION 16. Section 81.068, Natural Resources Code, as
 6-8 amended by Chapters 835 (H.B. 7) and 1075 (H.B. 3309), Acts of the
 6-9 83rd Legislature, Regular Session, 2013, is reenacted and amended
 6-10 to read as follows:

6-11 Sec. 81.068. PURPOSES OF OIL AND GAS REGULATION AND CLEANUP
 6-12 FUND. Money in the oil and gas regulation and cleanup fund may be
 6-13 used by the commission or its employees or agents for any purpose
 6-14 related to the regulation of oil and gas development, including oil
 6-15 and gas monitoring and inspections, oil and gas remediation, and
 6-16 oil and gas well plugging, the study and evaluation of electronic
 6-17 access to geologic data and surface casing depths necessary to
 6-18 protect usable groundwater in this state, alternative fuels
 6-19 programs under Section 81.0681, the administration of pipeline
 6-20 safety and regulatory programs, public information and services
 6-21 related to those activities, and administrative costs and state
 6-22 benefits for personnel involved in those activities.

6-23 SECTION 17. Section 81.112, Natural Resources Code, is
 6-24 amended to read as follows:

6-25 Sec. 81.112. DISPOSITION OF TAX PROCEEDS. The tax shall be
 6-26 deposited in the oil and gas regulation and cleanup fund as provided
 6-27 by Section 81.067 [~~General Revenue Fund~~].

6-28 SECTION 18. Section 153.0535(b), Occupations Code, is
 6-29 amended to read as follows:

6-30 (b) The board shall deposit each surcharge collected to the
 6-31 credit of the public assurance account. The public assurance
 6-32 account is an account in the general revenue fund that shall be
 6-33 appropriated only to the board to pay for the board's licensure and
 6-34 enforcement programs [~~program~~], including the expert physician
 6-35 panel.

6-36 SECTION 19. Section 1105.003(d), Occupations Code, is
 6-37 amended to read as follows:

6-38 (d) All [~~Except as provided by Subsection (e), all~~] fees and
 6-39 funds collected by the commission or the board and any funds
 6-40 appropriated to the commission or the board shall be deposited in
 6-41 interest-bearing deposit accounts in the Texas Treasury
 6-42 Safekeeping Trust Company. The comptroller shall contract with
 6-43 the commission and the board for the maintenance of the deposit
 6-44 accounts under terms comparable to a contract between a commercial
 6-45 banking institution and the institution's customers.

6-46 SECTION 20. Section 1701.156, Occupations Code, is amended
 6-47 by adding Subsection (c) to read as follows:

6-48 (c) The Department of Public Safety may use money
 6-49 appropriated to the department from the account to award grants to
 6-50 local law enforcement agencies for training on incident-based
 6-51 reporting systems to be used for reporting information and
 6-52 statistics concerning criminal offenses committed in this state.
 6-53 The department shall adopt rules governing the award of grants by
 6-54 the department under this subsection.

6-55 SECTION 21. Section 1701.157, Occupations Code, is amended
 6-56 by adding Subsection (a-1) to read as follows:

6-57 (a-1) Subsection (a) does not apply to money appropriated to
 6-58 the Department of Public Safety from the account for the purpose of
 6-59 awarding grants to local law enforcement agencies for training on
 6-60 incident-based reporting systems under Section 1701.156(c).

6-61 SECTION 22. Section 155.2415, Tax Code, is amended to read
 6-62 as follows:

6-63 Sec. 155.2415. ALLOCATION OF CERTAIN REVENUE TO PROPERTY
 6-64 TAX RELIEF FUND AND CERTAIN OTHER FUNDS. (a) Notwithstanding
 6-65 Section 155.241, the proceeds from the collection of taxes imposed
 6-66 by Section 155.0211 shall be allocated as follows:

6-67 (1) the amount of the proceeds that is equal to the
 6-68 amount that, if the taxes imposed by Section 155.0211 were imposed
 6-69 at a rate of 40 percent of the manufacturer's list price, exclusive

7-1 of any trade discount, special discount, or deal, would be
 7-2 attributable to the portion of that tax rate in excess of 35.213
 7-3 percent, shall be deposited to the credit of the property tax relief
 7-4 fund under Section 403.109, Government Code;

7-5 (2) the amount of the proceeds that is equal to the
 7-6 amount that would be attributable to a tax rate of 35.213 percent of
 7-7 the manufacturer's list price, exclusive of any trade discount,
 7-8 special discount, or deal, if the taxes were imposed by Section
 7-9 155.0211 at that rate, shall be deposited to the credit of the
 7-10 general revenue fund; and

7-11 (3) 100 percent of the remaining proceeds shall be
 7-12 deposited to the credit of:

7-13 (A) the physician education loan repayment
 7-14 program account established under Subchapter J, Chapter 61,
 7-15 Education Code; or

7-16 (B) the general revenue fund, if the comptroller
 7-17 determines that the unencumbered beginning balance of the physician
 7-18 education loan repayment account established under Subchapter J,
 7-19 Chapter 61, Education Code, is sufficient to fund appropriations
 7-20 and other direct and indirect costs from that account for the
 7-21 fulfillment of existing and expected physician loan repayment
 7-22 commitments during the current state fiscal biennium.

7-23 (b) Proceeds deposited in accordance with Subsection
 7-24 (a)(3)(B) may be appropriated only for health care purposes.

7-25 SECTION 23. Section 504.6012, Transportation Code, is
 7-26 amended to read as follows:

7-27 Sec. 504.6012. ELIMINATION OF DEDICATED REVENUE ACCOUNTS;
 7-28 REVENUES IN TRUST. (a) Notwithstanding any other law [~~provision of~~
 7-29 ~~this subchapter~~], not later than September 30, 2015 [~~2013~~], the
 7-30 comptroller shall eliminate all dedicated accounts established for
 7-31 specialty license plates [~~under this subchapter~~] and shall set
 7-32 aside the balances of those dedicated accounts so that the balances
 7-33 may be appropriated only for the purposes intended as provided by
 7-34 the dedications.

7-35 (b) On and after September 1, 2015 [~~2013~~], the portion of a
 7-36 fee payable [~~under this subchapter~~] that is designated for deposit
 7-37 to a dedicated account shall be paid instead to the credit of an
 7-38 account in a trust fund created by the comptroller outside the
 7-39 general revenue fund. The comptroller shall administer the trust
 7-40 fund and accounts and may allocate the corpus and earnings on each
 7-41 account only in accordance with the dedications of the revenue
 7-42 deposited to the trust fund accounts.

7-43 SECTION 24. Section 542.406(c), Transportation Code, is
 7-44 amended to read as follows:

7-45 (c) Not later than the 60th day after the end of a local
 7-46 authority's fiscal year, after deducting amounts the local
 7-47 authority is authorized by Subsection (d) to retain, the local
 7-48 authority shall:

7-49 (1) send 50 percent of the revenue derived from civil
 7-50 or administrative penalties collected by the local authority under
 7-51 this section to the comptroller for deposit to the credit of the
 7-52 designated [~~regional~~] trauma facility and emergency medical
 7-53 services account established under Section 780.003 [~~782.002~~],
 7-54 Health and Safety Code; and

7-55 (2) deposit the remainder of the revenue in a special
 7-56 account in the local authority's treasury that may be used only to
 7-57 fund traffic safety programs, including pedestrian safety
 7-58 programs, public safety programs, intersection improvements, and
 7-59 traffic enforcement.

7-60 SECTION 25. Section 707.008(a), Transportation Code, is
 7-61 amended to read as follows:

7-62 (a) Not later than the 60th day after the end of a local
 7-63 authority's fiscal year, after deducting amounts the local
 7-64 authority is authorized by Subsection (b) to retain, the local
 7-65 authority shall:

7-66 (1) send 50 percent of the revenue derived from civil
 7-67 or administrative penalties collected by the local authority under
 7-68 this section to the comptroller for deposit to the credit of the
 7-69 designated [~~regional~~] trauma facility and emergency medical

8-1 services account established under Section 780.003 [~~782.002~~],
8-2 Health and Safety Code; and

8-3 (2) deposit the remainder of the revenue in a special
8-4 account in the local authority's treasury that may be used only to
8-5 fund traffic safety programs, including pedestrian safety
8-6 programs, public safety programs, intersection improvements, and
8-7 traffic enforcement.

8-8 SECTION 26. Section 708.103, Transportation Code, is
8-9 amended by amending Subsection (b) and adding Subsection (c) to
8-10 read as follows:

8-11 (b) Except as provided by Subsection (c), the [The] amount
8-12 of a surcharge under this section is \$250 per year.

8-13 (c) The amount of a surcharge under this section is \$125 per
8-14 year if the person:

8-15 (1) has been convicted of an offense under Section
8-16 601.191, and no other offense described by Subsection (a); and

8-17 (2) establishes financial responsibility under
8-18 Section 601.051 not later than the 60th day after the date of the
8-19 offense through a motor vehicle liability insurance policy that:

8-20 (A) complies with Subchapter D, Chapter 601; and

8-21 (B) is prepaid and valid for at least a six-month
8-22 period.

8-23 SECTION 27. Section 708.104, Transportation Code, is
8-24 amended by amending Subsection (b) and adding Subsection (b-1) to
8-25 read as follows:

8-26 (b) Except as provided by Subsection (b-1), the [The] amount
8-27 of a surcharge under this section is \$100 per year.

8-28 (b-1) The amount of a surcharge under this section is \$50
8-29 per year if the person obtains a driver's license not later than the
8-30 60th day after the date of the offense.

8-31 SECTION 28. Section 39.9039(b), Utilities Code, is amended
8-32 to read as follows:

8-33 (b) Notwithstanding Section 39.903(e), money in the system
8-34 benefit fund may be appropriated:

8-35 (1) for the state fiscal year beginning September 1,
8-36 2013, a program established by the commission to assist low-income
8-37 electric customers by providing a reduced rate for the months of
8-38 September, 2013, and May through August, 2014, in the manner
8-39 prescribed by Section 39.903(h) at a rate of up to 82 percent;

8-40 (2) for the state fiscal year beginning September 1,
8-41 2014, a program established by the commission to assist low-income
8-42 electric customers by providing a reduced rate for the months of
8-43 September, 2014, and May through August, 2015, in the manner
8-44 prescribed by Section 39.903(h) at a rate of up to 15 percent;

8-45 (3) for the state fiscal year beginning September 1,
8-46 2015, a program established by the commission to assist low-income
8-47 electric customers by providing a reduced rate [~~for the months of~~
8-48 ~~September, 2015, and May through August, 2016,~~] in the manner
8-49 prescribed by Section 39.903(h) at a rate the commission determines
8-50 is necessary to exhaust the system benefit fund [of up to 15
8-51 percent]; and

8-52 (4) for customer education programs and
8-53 administrative expenses incurred by the commission in implementing
8-54 and administering this chapter.

8-55 SECTION 29. Section 121.211(h), Utilities Code, is amended
8-56 to read as follows:

8-57 (h) A fee collected under this section shall be deposited to
8-58 the credit of the oil and gas regulation and cleanup [general
8-59 revenue] fund as provided by Section 81.067, Natural Resources Code
8-60 [to be used for the pipeline safety and regulatory program].

8-61 SECTION 30. Section 27.0321, Water Code, is amended to read
8-62 as follows:

8-63 Sec. 27.0321. APPLICATION FEE. (a) With each application
8-64 for an oil and gas waste disposal well permit, the applicant shall
8-65 submit to the railroad commission a nonrefundable fee of \$100.

8-66 (b) The fee collected under this section shall be deposited
8-67 to the credit of the oil and gas regulation and cleanup fund as
8-68 provided by Section 81.067, Natural Resources Code.

8-69 SECTION 31. The following provisions of law, including

9-1 provisions amended by S.B. 219, Acts of the 84th Legislature,
9-2 Regular Session, 2015, are repealed:

- 9-3 (1) Section 102.055, Business & Commerce Code;
- 9-4 (2) Section 61.539, Education Code;
- 9-5 (3) Section 780.003(c), Health and Safety Code;
- 9-6 (4) Chapter 782, Health and Safety Code; and
- 9-7 (5) Section 81.113, Natural Resources Code.

9-8 SECTION 32. Not later than January 1, 2016, the Department
9-9 of Public Safety shall adopt rules as required by Section
9-10 1701.156(c), Occupations Code, as added by this Act.

9-11 SECTION 33. The changes in law made by this Act to Sections
9-12 708.103 and 708.104, Transportation Code, apply to a surcharge
9-13 pending on the effective date of this Act, regardless of when the
9-14 surcharge was assessed.

9-15 SECTION 34. Not later than the 90th day of the state fiscal
9-16 year beginning September 1, 2015, the comptroller shall transfer
9-17 any remaining balance in the educator excellence innovation fund
9-18 account No. 5135 to the credit of the general revenue fund.

9-19 SECTION 35. Not later than the 90th day of the state fiscal
9-20 year beginning September 1, 2015, the comptroller shall transfer
9-21 any remaining balance in the regional trauma account No. 5137 to the
9-22 credit of the designated trauma facility and EMS account No. 5111 in
9-23 the general revenue fund.

9-24 SECTION 36. (a) Notwithstanding Section 2007.002,
9-25 Insurance Code, as amended by this Act, for the state fiscal years
9-26 beginning September 1, 2015, and beginning September 1, 2016, the
9-27 comptroller shall assess against all insurers to which Chapter
9-28 2007, Insurance Code, applies amounts for that state fiscal year
9-29 necessary, as determined by the commissioner of insurance, to
9-30 collect a combined total equal to the lesser of:

9-31 (1) the total amount that the General Appropriations
9-32 Act appropriates from the volunteer fire department assistance fund
9-33 account in the general revenue fund for that state fiscal year other
9-34 than:

9-35 (A) appropriations for contributions to the
9-36 Texas Emergency Services Retirement System made under Section
9-37 614.104(d), Government Code, as added by this Act; and

9-38 (B) appropriations to the Texas A&M Forest
9-39 Service for grants to volunteer fire departments in a total amount
9-40 not to exceed \$11,500,000; or

9-41 (2) \$30 million.

9-42 (b) This section expires September 1, 2017.

9-43 SECTION 37. The changes in law made by this Act do not
9-44 affect a surcharge, additional fee, additional charge, fee
9-45 increase, tax, or late fee imposed before the effective date of this
9-46 Act, and the law in effect before the effective date of this Act is
9-47 continued in effect for purposes of the liability for and
9-48 collection of those surcharges, additional fees, additional
9-49 charges, fee increases, taxes, and late fees.

9-50 SECTION 38. This Act takes effect September 1, 2015.

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