

By: Darby, Otto, Howard, Turner of Harris,
Murr, et al.

H.B. No. 7

Substitute the following for H.B. No. 7:

By: Turner of Harris

C.S.H.B. No. 7

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the amounts, availability, and use of certain
3 statutorily dedicated revenue and accounts; reducing or affecting
4 the amounts or rates of certain statutorily dedicated fees and
5 assessments.

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

7 SECTION 1. Section 102.054, Business & Commerce Code, is
8 amended to read as follows:

9 Sec. 102.054. ALLOCATION OF CERTAIN REVENUE FOR SEXUAL
10 ASSAULT PROGRAMS. The comptroller shall deposit the amounts [~~first~~
11 ~~\$25 million~~] received from the fee imposed under this subchapter
12 [~~in a state fiscal biennium~~] to the credit of the sexual assault
13 program fund.

14 SECTION 2. Section 21.703, Education Code, is amended to
15 read as follows:

16 Sec. 21.703. [~~EDUCATOR EXCELLENCE INNOVATION FUND,~~] AMOUNT
17 OF GRANT AWARD. (a) [~~Each state fiscal year, the commissioner~~
18 ~~shall deposit an amount determined by the General Appropriations~~
19 ~~Act to the credit of the educator excellence innovation fund in the~~
20 ~~general revenue fund.~~] Each state fiscal year, the agency shall
21 [~~use money in the educator excellence innovation fund to~~] provide
22 each school district approved on a competitive basis under this
23 subchapter with a grant in an amount determined by the agency in
24 accordance with commissioner rule.

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

5 SECTION 3. Section 52.91(c), Education Code, is amended to
6 read as follows:

7 (c) The board shall repay bonds issued by the board to fund
8 the Texas B-On-time student loan program using legislative
9 appropriations and money collected by the board as repayment for
10 Texas B-On-time student loans awarded by the board. [~~The board may
11 use tuition set aside under Section 56.465 to repay bonds issued by
12 the board for the Texas B-On-time student loan program.~~] The board
13 may not use money collected by the board as repayment for student
14 loans awarded by the board under Subchapter C to repay bonds issued
15 by the board for the Texas B-On-time student loan program under
16 Section 56.464(b).

17 SECTION 4. Section 56.463, Education Code, is amended to
18 read as follows:

19 Sec. 56.463. TEXAS B-ON-TIME STUDENT LOAN ACCOUNT. (a) The
20 Texas B-On-time student loan account is an account in the general
21 revenue fund. The account consists of:

22 (1) gifts and grants and legislative appropriations
23 received under Section 56.464; [~~tuition set aside under Section
24 56.465,~~] and

25 (2) other money required by law to be deposited in the
26 account.

27 (b) Money in the Texas B-On-time student loan account may be

1 appropriated [~~used~~] only:

2 (1) to pay any costs of the coordinating board related
3 to the operation of the Texas B-On-time loan program and as
4 otherwise provided by this subchapter; or

5 (2) to the institutions of higher education that
6 contributed to the account as formerly provided by Section 56.465
7 and only for a purpose other than the Texas B-On-time loan program.

8 (c) Appropriations under Subsection (b)(2) must be made so
9 that each of the institutions of higher education receives an
10 amount that is in proportion to the net amount the institution
11 contributed to the Texas B-On-time student loan account.

12 SECTION 5. Section 61.5391(a), Education Code, is amended
13 to read as follows:

14 (a) The physician education loan repayment program account
15 is an account in the general revenue fund. The account is composed
16 of:

- 17 (1) gifts and grants contributed to the account;
18 (2) earnings on the principal of the account; and
19 (3) other amounts deposited to the credit of the
20 account, including:

21 (A) money deposited under Section [~~61.539(b) or~~]
22 61.5392;

23 (B) legislative appropriations; and

24 (C) money deposited under Section 155.2415, Tax
25 Code.

26 SECTION 6. Subchapter B, Chapter 403, Government Code, is
27 amended by adding Section 403.0143 to read as follows:

1 Sec. 403.0143. REPORT ON USE OF GENERAL REVENUE-DEDICATED
2 ACCOUNTS. After each regular session of the legislature, the
3 comptroller shall issue a report that itemizes each general
4 revenue-dedicated account and the estimated balance and revenue in
5 each account that is considered available for the purposes of
6 certification of appropriations as provided by Section 403.095.
7 The comptroller shall publish the report on the comptroller's
8 Internet website.

9 SECTION 7. Section 403.0956, Government Code, is amended to
10 read as follows:

11 Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
12 DEDICATED REVENUE. Notwithstanding any other law, all interest or
13 other earnings that accrue on all revenue held in an account in the
14 general revenue fund any part of which Section 403.095 makes
15 available for certification under Section 403.121 are available for
16 any general governmental purpose, and the comptroller shall deposit
17 the interest and earnings to the credit of the general revenue
18 fund. This section does not apply to:

19 (1) interest or earnings on revenue deposited in
20 accordance with Section 51.008, Education Code;

21 (2) an account that accrues interest or other earnings
22 on deposits of state or federal money the diversion of which is
23 specifically excluded by federal law;

24 (3) the lifetime license endowment account; [~~or~~]

25 (4) the game, fish, and water safety account;

26 (5) the coastal protection account; or

27 (6) the Alamo complex account.

1 SECTION 8. Section 420.008, Government Code, is amended by
2 amending Subsection (c) and adding Subsection (d) to read as
3 follows:

4 (c) The legislature may appropriate money deposited to the
5 credit of the fund only to:

6 (1) the attorney general, for:

7 (A) sexual violence awareness and prevention
8 campaigns;

9 (B) grants to faith-based groups, independent
10 school districts, and community action organizations for programs
11 for the prevention of sexual assault and programs for victims of
12 human trafficking;

13 (C) grants for equipment for sexual assault nurse
14 examiner programs, to support the preceptorship of future sexual
15 assault nurse examiners, and for the continuing education of sexual
16 assault nurse examiners;

17 (D) grants to increase the level of sexual
18 assault services in this state;

19 (E) grants to support victim assistance
20 coordinators;

21 (F) grants to support technology in rape crisis
22 centers;

23 (G) grants to and contracts with a statewide
24 nonprofit organization exempt from federal income taxation under
25 Section 501(c)(3), Internal Revenue Code of 1986, having as a
26 primary purpose ending sexual violence in this state, for programs
27 for the prevention of sexual violence, outreach programs, and

1 technical assistance to and support of youth and rape crisis
2 centers working to prevent sexual violence; ~~and~~

3 (H) grants to regional nonprofit providers of
4 civil legal services to provide legal assistance for sexual assault
5 victims;

6 (I) grants to prevent sex trafficking and to
7 provide services for victims of sex trafficking; and

8 (J) grants to carry out the purpose of this
9 chapter, including standardizing the quality of services provided,
10 preventing sexual assault, and improving services to survivors of
11 sexual assault;

12 (2) the Department of State Health Services, to
13 measure the prevalence of sexual assault in this state and for
14 grants to support programs assisting victims of human trafficking;

15 (3) the Institute on Domestic Violence and Sexual
16 Assault or the Bureau of Business Research at The University of
17 Texas at Austin, to conduct research on all aspects of sexual
18 assault and domestic violence;

19 (4) Texas State University, for training and technical
20 assistance to independent school districts for campus safety;

21 (5) the office of the governor, for grants to support
22 sexual assault and human trafficking prosecution projects;

23 (6) the department [~~Department of Public Safety~~], to
24 support sexual assault training for commissioned officers;

25 (7) the comptroller's judiciary section, for
26 increasing the capacity of the sex offender civil commitment
27 program;

1 (8) the Texas Department of Criminal Justice:

2 (A) for pilot projects for monitoring sex
3 offenders on parole; and

4 (B) for increasing the number of adult
5 incarcerated sex offenders receiving treatment;

6 (9) the Texas Juvenile Justice Department [~~Youth~~
7 ~~Commission~~], for increasing the number of incarcerated juvenile sex
8 offenders receiving treatment;

9 (10) the comptroller, for the administration of the
10 fee imposed on sexually oriented businesses under Section 102.052,
11 Business & Commerce Code; [~~and~~]

12 (11) the supreme court, to be transferred to the Texas
13 [~~Equal~~] Access to Justice Foundation, or a similar entity, to
14 provide victim-related legal services to sexual assault victims,
15 including legal assistance with protective orders,
16 relocation-related matters, victim compensation, and actions to
17 secure privacy protections available to victims under law;

18 (12) any state agency or organization for the purpose
19 of conducting human trafficking enforcement programs; and

20 (13) any other designated state agency for the purpose
21 of preventing sexual assault or improving services for victims of
22 sexual assault.

23 (d) In making appropriations from the fund, the legislature
24 shall give priority to appropriations made to the office of the
25 attorney general for the purposes described by Subsection (c)(1)
26 and to The University of Texas at Austin for the purposes described
27 by Subsection (c)(3). Appropriations made from the sexual assault

1 program fund to any other agency or entity or for any other purpose
2 in a state fiscal biennium may not exceed 20 percent of the revenue
3 that is anticipated to be deposited in the fund during that state
4 fiscal biennium, as projected in the biennial revenue estimate
5 produced by the comptroller.

6 SECTION 9. Section 614.104, Government Code, is amended by
7 amending Subsections (a) and (b) and adding Subsection (d) to read
8 as follows:

9 (a) The volunteer fire department assistance fund is an
10 account in the general revenue fund and is composed of money
11 collected under Chapter 2007 [~~Article 5.102~~], Insurance Code, and
12 contributions to the fund from any other source.

13 (b) Except as provided by Subsections [~~Subsection~~] (c) and
14 (d), money in the fund may be used only for a purpose under this
15 subchapter.

16 (d) Money in the fund may be appropriated for a contribution
17 to the Texas Emergency Services Retirement System subject to
18 Section 865.015.

19 SECTION 10. Section 361.014(a), Health and Safety Code, is
20 amended to read as follows:

21 (a) Revenue received by the commission under Section
22 361.013 shall be deposited in the state treasury to the credit of
23 the commission. Of that revenue, 66.7 percent is dedicated to the
24 commission's municipal solid waste permitting programs,
25 enforcement programs, and site remediation programs, and to pay for
26 activities that will enhance the state's solid waste management
27 program. The commission shall issue a biennial report to the

1 legislature describing in detail how the money was spent. The
2 activities to enhance the state's solid waste management program
3 may include:

4 (1) provision of funds for the municipal solid waste
5 management planning fund and the municipal solid waste resource
6 recovery applied research and technical assistance fund
7 established by the Comprehensive Municipal Solid Waste Management,
8 Resource Recovery, and Conservation Act (Chapter 363);

9 (2) conduct of demonstration projects and studies to
10 help local governments of various populations and the private
11 sector to convert to accounting systems and set rates that reflect
12 the full costs of providing waste management services and are
13 proportionate to the amount of waste generated;

14 (3) provision of technical assistance to local
15 governments concerning solid waste management;

16 (4) establishment of a solid waste resource center in
17 the commission and an office of waste minimization and recycling;

18 (5) provision of supplemental funding to local
19 governments for the enforcement of this chapter, the Texas Litter
20 Abatement Act (Chapter 365), and Chapters 391 and 683,
21 Transportation Code;

22 (6) conduct of a statewide public awareness program
23 concerning solid waste management;

24 (7) provision of supplemental funds for other state
25 agencies with responsibilities concerning solid waste management,
26 recycling, and other initiatives with the purpose of diverting
27 recyclable waste from landfills;

1 (8) conduct of research to promote the development and
2 stimulation of markets for recycled waste products;

3 (9) creation of a state municipal solid waste
4 superfund, from funds appropriated, for:

5 (A) the cleanup of unauthorized tire dumps and
6 solid waste dumps for which a responsible party cannot be located or
7 is not immediately financially able to provide the cleanup;

8 (B) the cleanup or proper closure of abandoned or
9 contaminated municipal solid waste sites for which a responsible
10 party is not immediately financially able to provide the cleanup;
11 and

12 (C) remediation, cleanup, and proper closure of
13 unauthorized recycling sites for which a responsible party is not
14 immediately financially able to perform the remediation, cleanup,
15 and closure;

16 (10) provision of funds to mitigate the economic and
17 environmental impacts of lead-acid battery recycling activities on
18 local governments; ~~and~~

19 (11) provision of funds for the conduct of research by
20 a public or private entity to assist the state in developing new
21 technologies and methods to reduce the amount of municipal waste
22 disposed of in landfills; and

23 (12) provision of funds for grants to encourage
24 entities located in an affected county or a nonattainment area, as
25 defined by Section 386.001, to convert heavy-duty vehicles used for
26 municipal solid waste collection into vehicles powered by natural
27 gas engines.

1 SECTION 11. Section 361.133, Health and Safety Code, is
2 amended by adding Subsection (c-1) to read as follows:

3 (c-1) Notwithstanding Subsection (c), money in the account
4 attributable to fees imposed under Section 361.138 may be used for
5 environmental remediation at the site of a closed battery recycling
6 facility located in the municipal boundaries of a municipality with
7 a population of greater than 120,000. This subsection expires
8 September 30, 2016.

9 SECTION 12. Section 382.0622(a), Health and Safety Code, is
10 amended to read as follows:

11 (a) Clean Air Act fees consist of:

12 (1) fees collected by the commission under Sections
13 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided
14 by law;

15 (2) \$2 from the portion of each fee collected for
16 inspections of vehicles other than mopeds and remitted to the state
17 under Sections [~~Section~~] 548.501 and 548.503, Transportation Code;
18 and

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

21 SECTION 13. The heading to Section 780.002, Health and
22 Safety Code, is amended to read as follows:

23 Sec. 780.002. CERTAIN DEPOSITS TO ACCOUNT.

24 SECTION 14. Section 780.003(b), Health and Safety Code, is
25 amended to read as follows:

26 (b) The account is composed of money deposited to the credit
27 of the account under Sections 542.406 and 707.008, Transportation

1 Code, and under Section 780.002 of this code~~[, and the earnings of~~
2 ~~the account]~~.

3 SECTION 15. Section 2007.002, Insurance Code, is amended to
4 read as follows:

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

9 (1) the total amount that the General Appropriations
10 Act appropriates from the volunteer fire department assistance fund
11 account in the general revenue fund for that state fiscal year other
12 than appropriations for contributions to the Texas Emergency
13 Services Retirement System made under Section 614.104(d),
14 Government Code; or ~~and~~

15 (2) \$30 million.

16 SECTION 16. Section 81.0521(c), Natural Resources Code, is
17 amended to read as follows:

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

22 SECTION 17. Section 81.067(c), Natural Resources Code, is
23 amended to read as follows:

24 (c) The fund consists of:

25 (1) proceeds from bonds and other financial security
26 required by this chapter and benefits under well-specific plugging
27 insurance policies described by Section 91.104(c) that are paid to

1 the state as contingent beneficiary of the policies, subject to the
2 refund provisions of Section 91.1091, if applicable;

3 (2) private contributions, including contributions
4 made under Section 89.084;

5 (3) expenses collected under Section 89.083;

6 (4) fees imposed under Section 85.2021;

7 (5) costs recovered under Section 91.457 or 91.459;

8 (6) proceeds collected under Sections 89.085 and
9 91.115;

10 (7) interest earned on the funds deposited in the
11 fund;

12 (8) oil and gas waste hauler permit application fees
13 collected under Section 29.015, Water Code;

14 (9) costs recovered under Section 91.113(f);

15 (10) hazardous oil and gas waste generation fees
16 collected under Section 91.605;

17 (11) oil-field cleanup regulatory fees on oil
18 collected under Section 81.116;

19 (12) oil-field cleanup regulatory fees on gas
20 collected under Section 81.117;

21 (13) fees for a reissued certificate collected under
22 Section 91.707;

23 (14) fees collected under Section 91.1013;

24 (15) fees collected under Section 89.088;

25 (16) fees collected under Section 91.142;

26 (17) fees collected under Section 91.654;

27 (18) costs recovered under Sections 91.656 and 91.657;

- 1 (19) ~~[two-thirds of the]~~ fees collected under Section
2 [81.0521](#);
- 3 (20) fees collected under Sections [89.024](#) and [89.026](#);
- 4 (21) legislative appropriations;
- 5 (22) any surcharges collected under Section [81.070](#);
- 6 ~~[and]~~
- 7 (23) fees collected under Section [91.0115](#);
- 8 (24) money deposited to the credit of the fund under
9 Section [81.112](#);
- 10 (25) fees collected under Subchapter B, Chapter 121,
11 Utilities Code; and
- 12 (26) fees collected under Section [27.0321](#), Water Code.

13 SECTION 18. Section [81.068](#), Natural Resources Code, as
14 amended by Chapters 835 (H.B. 7) and 1075 (H.B. 3309), Acts of the
15 83rd Legislature, Regular Session, 2013, is reenacted and amended
16 to read as follows:

17 Sec. 81.068. PURPOSES OF OIL AND GAS REGULATION AND CLEANUP
18 FUND. Money in the oil and gas regulation and cleanup fund may be
19 used by the commission or its employees or agents for any purpose
20 related to the regulation of oil and gas development, including oil
21 and gas monitoring and inspections, oil and gas remediation, and
22 oil and gas well plugging, the study and evaluation of electronic
23 access to geologic data and surface casing depths necessary to
24 protect usable groundwater in this state, alternative fuels
25 programs under Section [81.0681](#), the administration of pipeline
26 safety and regulatory programs, public information and services
27 related to those activities, and administrative costs and state

1 benefits for personnel involved in those activities.

2 SECTION 19. Section [81.112](#), Natural Resources Code, is
3 amended to read as follows:

4 Sec. 81.112. DISPOSITION OF TAX PROCEEDS. The tax shall be
5 deposited in the oil and gas regulation and cleanup fund as provided
6 by Section [81.067](#) [~~General Revenue Fund~~].

7 SECTION 20. Section [153.0535\(b\)](#), Occupations Code, is
8 amended to read as follows:

9 (b) The board shall deposit each surcharge collected to the
10 credit of the public assurance account. The public assurance
11 account is an account in the general revenue fund that shall be
12 appropriated only to the board to pay for the board's licensure and
13 enforcement programs [~~program~~], including the expert physician
14 panel.

15 SECTION 21. Sections [201.354\(d\)](#) and (g), Occupations Code,
16 are amended to read as follows:

17 (d) A person whose license has been expired for 90 days or
18 less may renew the license by paying to the board a renewal fee that
19 is equal to [~~the sum of~~] 1-1/2 times the annual renewal fee set by
20 the board under Section [201.153\(a\)](#) [~~and the increase in that fee~~
21 ~~required by Section [201.153\(b\)](#)]~~. If a person's license has been
22 expired for more than 90 days but less than one year, the person may
23 renew the license by paying to the board a renewal fee that is equal
24 to [~~the sum of~~] two times the annual renewal fee set by the board
25 under Section [201.153\(a\)](#) [~~and the increase in that fee required by~~
26 ~~Section [201.153\(b\)](#)]~~.

27 (g) A person may renew a license that has been expired for at

1 least one year but not more than three years if:

2 (1) the board determines according to criteria adopted
3 by board rule that the person has shown good cause for the failure
4 to renew the license; and

5 (2) the person pays to the board:

6 (A) the annual renewal fee set by the board under
7 Section 201.153(a) for each year in which the license was expired;
8 and

9 (B) an additional fee in an amount equal to the
10 sum of:

11 (i) the annual renewal fee set by the board
12 under Section 201.153(a), multiplied by the number of years the
13 license was expired, prorated for fractional years; and

14 (ii) two times the annual renewal fee set by
15 the board under Section 201.153(a) [~~and~~

16 [~~(C) the increase in the annual renewal fee~~
17 ~~required by Section 201.153(b)].~~

18 SECTION 22. Section 351.304(b), Occupations Code, is
19 amended to read as follows:

20 (b) A person whose license has been expired for 90 days or
21 less may renew the license by paying to the board a renewal fee that
22 is equal to [~~the sum of~~] one and one-half times the annual renewal
23 fee set by the board under Section 351.152 [~~and the additional fee~~
24 ~~required by Section 351.153~~]. If a person's license has been
25 expired for more than 90 days but less than one year, the person may
26 renew the license by paying to the board a renewal fee that is equal
27 to [~~the sum of~~] two times the annual renewal fee set by the board

1 under Section 351.152 [~~and the additional fee required by Section~~
2 ~~351.153~~].

3 SECTION 23. Section 351.306(b), Occupations Code, is
4 amended to read as follows:

5 (b) The person must pay to the board a fee that is equal to
6 the amount of the renewal fee set by the board under Section 351.152
7 [~~351.153(a)~~].

8 SECTION 24. Sections 801.303(b) and (c), Occupations Code,
9 are amended to read as follows:

10 (b) A person whose license has been expired for 90 days or
11 less may renew the license by paying to the board a renewal fee that
12 is equal to [~~the sum of~~] 1-1/2 times the renewal fee set by the board
13 under Section 801.154(a) [~~and the additional fee required by~~
14 ~~Section 801.154(b), if applicable~~].

15 (c) A person whose license has been expired for more than 90
16 days but less than one year may renew the license by paying to the
17 board a renewal fee that is equal to [~~the sum of~~] two times the
18 renewal fee set by the board under Section 801.154(a) [~~and the~~
19 ~~additional fee required by Section 801.154(b), if applicable~~].

20 SECTION 25. Section 801.305(b), Occupations Code, is
21 amended to read as follows:

22 (b) The person must pay to the board a fee that is equal to
23 the amount of the renewal fee set by the board under Section
24 801.154(a) [~~and the additional fee required by Section 801.154(b)~~].

25 SECTION 26. Section 901.155(a), Occupations Code, is
26 amended to read as follows:

27 (a) The fee for the issuance or renewal of a license under

1 this chapter consists of:

2 (1) the amount of the fee set by the board under
3 Section 901.154; and

4 (2) ~~[the fee increase imposed under Section 901.406,~~
5 ~~and~~

6 ~~(3)]~~ an additional \$10 annual fee to be deposited to
7 the credit of the scholarship trust fund for fifth-year accounting
8 students.

9 SECTION 27. Section 901.405(f), Occupations Code, is
10 amended to read as follows:

11 (f) A person who was licensed in this state, moved to
12 another state, and is currently licensed and has been in practice in
13 the other state for the two years preceding the date of application
14 may obtain a new license without reexamination. A person described
15 by this subsection whose license has been revoked under Section
16 901.502(3) or (4) may obtain a new license under this subsection. A
17 person described by this subsection must pay to the board a fee that
18 is equal to two times the normally required renewal fee for the
19 license ~~[and is not subject to additional fees under Section~~
20 ~~901.408]~~.

21 SECTION 28. Section 901.408(a), Occupations Code, is
22 amended to read as follows:

23 (a) A person, other than a person described by Section
24 901.405(f), who fails to pay the license renewal fee ~~[or the~~
25 ~~additional fee imposed under Section 901.407, as applicable,~~] and
26 any late fee before the first anniversary of the due date of the
27 renewal fee ~~[or additional fee]~~ may renew the person's license only

1 by submitting to the board an application for renewal accompanied
2 by payment of:

- 3 (1) all accrued fees, including late fees; and
- 4 (2) the direct administrative costs incurred by the
5 board in renewing the person's license.

6 SECTION 29. Sections 1001.353(b) and (c), Occupations Code,
7 are amended to read as follows:

8 (b) A person whose license has been expired for 90 days or
9 less may renew the license by paying to the board the required
10 annual renewal fee and [7] a late renewal fee [~~7~~ and any applicable
11 ~~increase in fees as required by Section 1001.206~~].

12 (c) A person whose license has been expired for more than 90
13 days but less than two years may renew the license by paying to the
14 board the required annual renewal fee and [7] a late renewal fee [~~7~~
15 ~~and any applicable increase in fees as required by Section~~
16 ~~1001.206~~] for each delinquent year or part of a year.

17 SECTION 30. Section 1001.355(d), Occupations Code, is
18 amended to read as follows:

19 (d) To return to active status, a license holder on inactive
20 status must:

21 (1) file with the board a written notice requesting
22 reinstatement to active status;

23 (2) pay the fee for the annual renewal of the license
24 [~~and the fee increase required by Section 1001.206~~]; and

25 (3) provide evidence satisfactory to the board that
26 the person has complied with the continuing education requirements
27 adopted by the board.

1 SECTION 31. Section 1101.154(a), Occupations Code, is
2 amended to read as follows:

3 (a) The fee for the issuance or renewal of a:

4 (1) broker license is the amount of the fee set under
5 Section [~~Sections~~] 1101.152 [~~and 1101.153~~] and an additional \$20
6 fee;

7 (2) salesperson license is the amount of the fee set
8 under Section 1101.152 and an additional \$20 fee; and

9 (3) certificate of registration is the amount of the
10 fee set under Section 1101.152 and an additional \$20 fee.

11 SECTION 32. Section 1105.003(d), Occupations Code, is
12 amended to read as follows:

13 (d) All [~~Except as provided by Subsection (e), all~~] fees and
14 funds collected by the commission or the board and any funds
15 appropriated to the commission or the board shall be deposited in
16 interest-bearing deposit accounts in the Texas Treasury
17 Safekeeping Trust Company. The comptroller shall contract with
18 the commission and the board for the maintenance of the deposit
19 accounts under terms comparable to a contract between a commercial
20 banking institution and the institution's customers.

21 SECTION 33. Section 1701.156, Occupations Code, is amended
22 by adding Subsection (c) to read as follows:

23 (c) The Department of Public Safety may use money
24 appropriated to the department from the account to award grants to
25 local law enforcement agencies for training on incident-based
26 reporting systems to be used for reporting information and
27 statistics concerning criminal offenses committed in this state.

1 The department shall adopt rules governing the award of grants by
2 the department under this subsection.

3 SECTION 34. Section 1701.157, Occupations Code, is amended
4 by adding Subsection (a-1) to read as follows:

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

9 SECTION 35. Sections 151.0515(b) and (b-1), Tax Code, are
10 amended to read as follows:

11 (b) In each county in this state certified by the Texas
12 Commission on Environmental Quality as being in a nonattainment
13 area or as an affected county, as defined by Section 386.001, Health
14 and Safety Code, a surcharge is imposed on the retail sale, lease,
15 or rental of new or used equipment in an amount equal to two percent
16 of the sale price or the lease or rental amount.

17 (b-1) In each county in this state certified by the Texas
18 Commission on Environmental Quality as being in a nonattainment
19 area or as an affected county, as defined by Section 386.001, Health
20 and Safety Code, a surcharge is imposed on the storage, use, or
21 other consumption in this state of new or used equipment. The
22 surcharge is at the same percentage rate as is provided by
23 Subsection (b) on the sales price or the lease or rental amount of
24 the equipment.

25 SECTION 36. Section 155.2415, Tax Code, is amended to read
26 as follows:

27 Sec. 155.2415. ALLOCATION OF CERTAIN REVENUE TO PROPERTY

1 TAX RELIEF FUND AND CERTAIN OTHER FUNDS. (a) Notwithstanding
2 Section 155.241, the proceeds from the collection of taxes imposed
3 by Section 155.0211 shall be allocated as follows:

4 (1) the amount of the proceeds that is equal to the
5 amount that, if the taxes imposed by Section 155.0211 were imposed
6 at a rate of 40 percent of the manufacturer's list price, exclusive
7 of any trade discount, special discount, or deal, would be
8 attributable to the portion of that tax rate in excess of 35.213
9 percent, shall be deposited to the credit of the property tax relief
10 fund under Section 403.109, Government Code;

11 (2) the amount of the proceeds that is equal to the
12 amount that would be attributable to a tax rate of 35.213 percent of
13 the manufacturer's list price, exclusive of any trade discount,
14 special discount, or deal, if the taxes were imposed by Section
15 155.0211 at that rate, shall be deposited to the credit of the
16 general revenue fund; and

17 (3) 100 percent of the remaining proceeds shall be
18 deposited to the credit of:

19 (A) the physician education loan repayment
20 program account established under Subchapter J, Chapter 61,
21 Education Code; or

22 (B) the general revenue fund, if the comptroller
23 determines that the unencumbered beginning balance of the physician
24 education loan repayment account established under Subchapter J,
25 Chapter 61, Education Code, is sufficient to fund appropriations
26 and other direct and indirect costs from that account for the
27 fulfillment of existing and expected physician loan repayment

1 commitments during the current state fiscal biennium.

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

4 SECTION 37. Section 504.6012, Transportation Code, is
5 amended to read as follows:

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

14 (b) On and after September 1, 2015 [~~2013~~], the portion of a
15 fee payable [~~under this subchapter~~] that is designated for deposit
16 to a dedicated account shall be paid instead to the credit of an
17 account in a trust fund created by the comptroller outside the
18 general revenue fund. The comptroller shall administer the trust
19 fund and accounts and may allocate the corpus and earnings on each
20 account only in accordance with the dedications of the revenue
21 deposited to the trust fund accounts.

22 SECTION 38. Section 521.421(b), Transportation Code, is
23 amended to read as follows:

24 (b) The fee for renewal of a Class M license or for renewal
25 of a license that includes authorization to operate a motorcycle is
26 \$27 [~~\$32~~].

27 SECTION 39. Section 521.421(f), Transportation Code, as

1 added by Chapter 1156 (S.B. 99), Acts of the 75th Legislature,
2 Regular Session, 1997, is amended to read as follows:

3 (f) An applicant applying for additional authorization to
4 operate a motorcycle shall pay a \$10 [~~\$15~~] fee for the required
5 application.

6 SECTION 40. Section 521.421(f), Transportation Code, as
7 added by Chapter 1372 (H.B. 1200), Acts of the 75th Legislature,
8 Regular Session, 1997, is redesignated as Section 521.421(f-1),
9 Transportation Code, and amended to read as follows:

10 (f-1) [~~(f)~~] If a Class A, B, or C driver's license includes
11 an authorization to operate a motorcycle or moped, the fee for the
12 driver's license is increased by \$3 [~~\$8~~].

13 SECTION 41. Section 521.427(b), Transportation Code, is
14 amended to read as follows:

15 (b) Subsection (a) does not apply to:

16 (1) [~~the portion of a fee collected under Section~~
17 521.421(b) or Section 521.421(f), as added by Chapter 1156, Acts of
18 the 75th Legislature, Regular Session, 1997, that is required by
19 Section 662.011 to be deposited to the credit of the motorcycle
20 education fund account,

21 [~~(2)~~] a fee collected under Section 521.421(j); or

22 (2) [~~(3)~~] a fee collected under Section 521.422(b) or

23 (c).

24 SECTION 42. Section 522.029(f), Transportation Code, as
25 added by Chapter 1156 (S.B. 99), Acts of the 75th Legislature,
26 Regular Session, 1997, is amended to read as follows:

27 (f) The fee for renewal of a commercial driver's license or

1 a commercial driver learner's permit that includes authorization to
2 operate a motorcycle is \$40 [~~\$45~~].

3 SECTION 43. Section 522.029(f), Transportation Code, as
4 added by Chapter 1372 (H.B. 1200), Acts of the 75th Legislature,
5 Regular Session, 1997, is redesignated as Section 522.029(f-1),
6 Transportation Code, and amended to read as follows:

7 (f-1) [~~(f)~~] If a commercial driver's license or commercial
8 driver learner's permit includes an authorization to operate a
9 motorcycle or moped, the fee for the driver's license or permit is
10 increased by \$3 [~~\$8~~].

11 SECTION 44. Section 522.029(i), Transportation Code, is
12 amended to read as follows:

13 (i) Each [~~Except as provided by Section 662.011, each~~] fee
14 collected under this section shall be deposited to the credit of the
15 Texas mobility fund.

16 SECTION 45. Section 542.406(c), Transportation Code, is
17 amended to read as follows:

18 (c) Not later than the 60th day after the end of a local
19 authority's fiscal year, after deducting amounts the local
20 authority is authorized by Subsection (d) to retain, the local
21 authority shall:

22 (1) send 50 percent of the revenue derived from civil
23 or administrative penalties collected by the local authority under
24 this section to the comptroller for deposit to the credit of the
25 designated [~~regional~~] trauma facility and emergency medical
26 services account established under Section 780.003 [~~782.002~~],
27 Health and Safety Code; and

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

6 SECTION 46. Section 707.008(a), Transportation Code, is
7 amended to read as follows:

8 (a) Not later than the 60th day after the end of a local
9 authority's fiscal year, after deducting amounts the local
10 authority is authorized by Subsection (b) to retain, the local
11 authority shall:

12 (1) send 50 percent of the revenue derived from civil
13 or administrative penalties collected by the local authority under
14 this section to the comptroller for deposit to the credit of the
15 designated [~~regional~~] trauma facility and emergency medical
16 services account established under Section 780.003 [~~782.002~~],
17 Health and Safety Code; and

18 (2) deposit the remainder of the revenue in a special
19 account in the local authority's treasury that may be used only to
20 fund traffic safety programs, including pedestrian safety
21 programs, public safety programs, intersection improvements, and
22 traffic enforcement.

23 SECTION 47. Section 708.103, Transportation Code, is
24 amended by amending Subsection (b) and adding Subsection (c) to
25 read as follows:

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

1 (c) The amount of a surcharge under this section is \$125 per
2 year if the person:

3 (1) has been convicted of an offense under Section
4 601.191, and no other offense described by Subsection (a); and

5 (2) establishes financial responsibility under
6 Section 601.051 not later than the 60th day after the date of the
7 offense through a motor vehicle liability insurance policy that:

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

9 (B) is prepaid and valid for at least a six-month
10 period.

11 SECTION 48. Section 708.104, Transportation Code, is
12 amended by amending Subsection (b) and adding Subsection (b-1) to
13 read as follows:

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

16 (b-1) The amount of a surcharge under this section is \$50
17 per year if the person obtains a driver's license not later than the
18 60th day after the date of the offense.

19 SECTION 49. Section 16.001, Utilities Code, is amended to
20 read as follows:

21 Sec. 16.001. UTILITY GROSS RECEIPTS ASSESSMENT ~~[ON PUBLIC~~
22 ~~UTILITIES]~~. (a) To defray the expenses incurred in the
23 administration of this title, the commission shall impose ~~[an~~
24 ~~assessment is imposed]~~ on each public utility, retail electric
25 provider, and electric cooperative under ~~[within]~~ the jurisdiction
26 of the commission that serves the ultimate consumer, including each
27 interexchange telecommunications carrier, an annual utility gross

1 receipts assessment in an amount determined as provided by
2 Subsection (b).

3 (b) The commission shall impose the assessment on each
4 public utility, retail electric provider, electric cooperative,
5 and interexchange telecommunications carrier so that each entity's
6 share of the aggregate amount of the assessments due bears the same
7 proportion to that aggregate amount as that entity's amount of
8 gross receipts from rates charged to the ultimate consumer bears to
9 the total of the gross receipts from rates charged to the ultimate
10 consumer in this state by all of the entities on which the
11 assessment is imposed. The commission shall revise the assessments
12 as necessary to result in the aggregate amount of assessments due
13 under this section being [~~An assessment under this section is~~]
14 equal to the lesser of:

15 (1) an amount, as determined by the commission, equal
16 to one-sixth of one percent of the total of the [~~public utility's,~~
17 ~~retail electric provider's, or electric cooperative's~~] gross
18 receipts from rates charged to the ultimate consumer in this state
19 by entities on which the assessments are imposed; or

20 (2) an amount, as determined by the commission, equal
21 to the total of amounts appropriated to the commission and to the
22 office from the utility gross receipts assessment account for the
23 state fiscal year in which the assessments are due.

24 (c) An interexchange telecommunications carrier that does
25 not provide local exchange telephone service may collect the
26 assessment [~~fee~~] imposed under this section as an additional item
27 separately stated on the customer bill as "utility gross receipts

1 assessment."

2 SECTION 50. Section 16.004, Utilities Code, is amended to
3 read as follows:

4 Sec. 16.004. COLLECTION AND DEPOSIT [~~BY COMPTROLLER~~]. The
5 comptroller shall:

6 (1) collect the assessments [~~assessment~~] and any
7 penalty or interest due under this subchapter; and

8 (2) deposit the assessments, penalties, and interest
9 collected under this subchapter to the credit of the utility gross
10 receipts assessment account.

11 SECTION 51. Subchapter A, Chapter 16, Utilities Code, is
12 amended by adding Section 16.005 to read as follows:

13 Sec. 16.005. UTILITY GROSS RECEIPTS ASSESSMENT ACCOUNT.

14 (a) The utility gross receipts assessment account is an account in
15 the general revenue fund.

16 (b) Money in the account may be appropriated only to the
17 commission or the office for the administration of this title.

18 SECTION 52. Section 39.9039(b), Utilities Code, is amended
19 to read as follows:

20 (b) Notwithstanding Section 39.903(e), money in the system
21 benefit fund may be appropriated:

22 (1) for the state fiscal year beginning September 1,
23 2013, a program established by the commission to assist low-income
24 electric customers by providing a reduced rate for the months of
25 September, 2013, and May through August, 2014, in the manner
26 prescribed by Section 39.903(h) at a rate of up to 82 percent;

27 (2) for the state fiscal year beginning September 1,

1 2014, a program established by the commission to assist low-income
2 electric customers by providing a reduced rate for the months of
3 September, 2014, and May through August, 2015, in the manner
4 prescribed by Section 39.903(h) at a rate of up to 15 percent;

5 (3) for the state fiscal year beginning September 1,
6 2015, a program established by the commission to assist low-income
7 electric customers by providing a reduced rate [~~for the months of~~
8 ~~September, 2015, and May through August, 2016,~~] in the manner
9 prescribed by Section 39.903(h) [~~at a rate of up to 15 percent~~]; and

10 (4) for customer education programs and
11 administrative expenses incurred by the commission in implementing
12 and administering this chapter.

13 SECTION 53. Section 121.211(h), Utilities Code, is amended
14 to read as follows:

15 (h) A fee collected under this section shall be deposited to
16 the credit of the oil and gas regulation and cleanup [~~general~~
17 ~~revenue~~] fund as provided by Section 81.067, Natural Resources Code
18 [~~to be used for the pipeline safety and regulatory program~~].

19 SECTION 54. Section 26.3574(b-1), Water Code, is amended to
20 read as follows:

21 (b-1) The commission by rule shall set the amount of the fee
22 in Subsection (b) in an amount not to exceed the amount necessary to
23 cover the agency's costs of administering this subchapter, as
24 indicated by the amount appropriated by the legislature from the
25 petroleum storage tank remediation account for that purpose, not
26 including any amount appropriated by the legislature from the
27 petroleum storage tank remediation account for the purpose of the

1 monitoring or remediation of releases occurring on or before
2 December 22, 1998.

3 SECTION 55. Section 27.0321, Water Code, is amended to read
4 as follows:

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

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

11 SECTION 56. The following provisions of law, including
12 provisions amended by S.B. 219, Acts of the 84th Legislature,
13 Regular Session, 2015, are repealed:

- 14 (1) Section 102.055, Business & Commerce Code;
- 15 (2) Section 56.459(f), Education Code;
- 16 (3) Section 56.465, Education Code;
- 17 (4) Section 61.539, Education Code;
- 18 (5) Section 780.003(c), Health and Safety Code;
- 19 (6) Chapter 782, Health and Safety Code;
- 20 (7) Section 81.113, Natural Resources Code;
- 21 (8) Section 153.053, Occupations Code;
- 22 (9) Sections 201.153(b) and (c), Occupations Code;
- 23 (10) Section 254.004(b), Occupations Code;
- 24 (11) Section 351.153, Occupations Code;
- 25 (12) Section 501.153, Occupations Code;
- 26 (13) Sections 801.154(b), (c), and (d), Occupations
27 Code;

- 1 (14) Section 901.406, Occupations Code;
- 2 (15) Section 901.407, Occupations Code;
- 3 (16) Section 901.410, Occupations Code;
- 4 (17) Section 1001.206, Occupations Code;
- 5 (18) Section 1051.652, Occupations Code;
- 6 (19) Section 1052.0541, Occupations Code;
- 7 (20) Section 1053.0521, Occupations Code;
- 8 (21) Section 1071.1521, Occupations Code;
- 9 (22) Section 1101.153, Occupations Code;
- 10 (23) Section 1105.003(e), Occupations Code;
- 11 (24) Section 1152.053, Occupations Code;
- 12 (25) Subchapter H, Chapter 191, Tax Code;
- 13 (26) Section 662.011, Transportation Code;
- 14 (27) Section 1001.151(c), Transportation Code; and
- 15 (28) Section 41, The Securities Act (Article 581-41,
- 16 Vernon's Texas Civil Statutes).

17 SECTION 57. Not later than January 1, 2016, the Department
18 of Public Safety shall adopt rules as required by Section
19 1701.156(c), Occupations Code, as added by this Act.

20 SECTION 58. The changes in law made by this Act to Sections
21 708.103 and 708.104, Transportation Code, apply to a surcharge
22 pending on the effective date of this Act, regardless of when the
23 surcharge was assessed.

24 SECTION 59. Not later than the 90th day of the state fiscal
25 year beginning September 1, 2015, the comptroller shall transfer
26 any remaining balance in the educator excellence innovation fund
27 account No. 5135 to the credit of the general revenue fund.

1 SECTION 60. Not later than the 90th day of the state fiscal
2 year beginning September 1, 2015, the comptroller shall transfer
3 any remaining balance in the regional trauma account No. 5137 to the
4 credit of the designated trauma facility and EMS account No. 5111 in
5 the general revenue fund.

6 SECTION 61. Not later than the 90th day of the state fiscal
7 year beginning September 1, 2015, the comptroller shall transfer
8 any remaining balance in the motorcycle education account No. 0501
9 to the credit of the general revenue fund.

10 SECTION 62. (a) Notwithstanding Section 2007.002,
11 Insurance Code, as amended by this Act, for the state fiscal years
12 beginning September 1, 2015, and beginning September 1, 2016, the
13 comptroller shall assess against all insurers to which Chapter
14 2007, Insurance Code, applies amounts for that state fiscal year
15 necessary, as determined by the commissioner of insurance, to
16 collect a combined total equal to the lesser of:

17 (1) the total amount that the General Appropriations
18 Act appropriates from the volunteer fire department assistance fund
19 account in the general revenue fund for that state fiscal year other
20 than:

21 (A) appropriations for contributions to the
22 Texas Emergency Services Retirement System made under Section
23 614.104(d), Government Code, as added by this Act; and

24 (B) appropriations to the Texas A&M Forest
25 Service for grants to volunteer fire departments in a total amount
26 not to exceed \$11,500,000; or

27 (2) \$30 million.

1 (b) This section expires September 1, 2017.

2 SECTION 63. (a) The changes in law made to Sections 52.91
3 and 56.463, Education Code, apply beginning with tuition charged
4 for the 2015 fall semester.

5 (b) Tuition charged for any semester or other academic term
6 before the 2015 fall semester is covered by the applicable law as it
7 existed before the effective date of this Act, and the former law is
8 continued in effect for that purpose.

9 SECTION 64. (a) The changes in law made by the amendment of
10 Section 16.001, Utilities Code, by this Act are applicable only to
11 an assessment made under that section to be due on or after August
12 15, 2017, as provided by Section 16.002, Utilities Code. An
13 assessment due before that date is governed by the law as it existed
14 immediately before the effective date of this Act, and that law is
15 continued in effect for that purpose.

16 (b) Notwithstanding Section 16.001, Utilities Code, as
17 amended by this Act, if the Public Utilities Commission does not
18 take action to determine the amount of assessments under that
19 section to be due August 15, 2017, following the method described by
20 Section 16.001(b), as amended by this Act, the commission shall
21 impose the assessment under Section 16.001 as that provision
22 existed immediately before the effective date of this Act, and that
23 law is continued in effect for that purpose.

24 SECTION 65. The changes in law made by this Act do not
25 affect a surcharge, additional fee, additional charge, fee
26 increase, tax, or late fee imposed before the effective date of this
27 Act, and the law in effect before the effective date of this Act is

1 continued in effect for purposes of the liability for and
2 collection of those surcharges, additional fees, additional
3 charges, fee increases, taxes, and late fees.

4 SECTION 66. This Act takes effect September 1, 2015.