

## **BILL ANALYSIS**

C.S.H.B. 7  
By: Darby  
Appropriations  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties assert that unspent funds in general revenue-dedicated accounts have counted toward overall budget certification for too long and the amount of money in these accounts used for certification has even grown during that time. C.S.H.B. 7 seeks to reduce the reliance on general revenue-dedicated account ending balances for use in budget certification.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 33 of this bill.

### **ANALYSIS**

C.S.H.B. 7 amends the Business & Commerce Code to change the amount of money received from the fee imposed on certain sexually oriented businesses and deposited to the credit of the sexual assault program fund by the comptroller of public accounts from the first \$25 million received in a state fiscal biennium to all amounts received without regard to a state fiscal biennium. The bill repeals a provision relating to the allocation of certain revenue from the fund to the Texas health opportunity pool.

C.S.H.B. 7 amends the Education Code to remove the requirement that the commissioner of education deposit an amount determined by the General Appropriations Act to the credit of the educator excellence innovation fund. The bill requires the comptroller, not later than the 90th day of the 2016 state fiscal year, to transfer any remaining balance in the educator excellence innovation fund account No. 5135 to the credit of the general revenue fund. The bill removes language requiring the Texas Education Agency (TEA) to use money in the educator excellence innovation fund to provide each approved school district with a grant under the educator excellence innovation program and instead requires TEA to provide such a grant without specifying a funding source.

C.S.H.B. 7 repeals Education Code provisions relating to the required designated tuition set aside for the Texas B-On-time student loan program, to the allocation of money in the Texas B-On-time student loan account in an academic year in which the amount of money in the account is insufficient to provide loans in the set amount, and to the medical school tuition set aside for certain loan repayments through the physician education loan repayment program account. The bill changes statutory language authorizing the use of money in the Texas B-On-time student loan account for certain purposes to the appropriation of such money and authorizes the appropriation of money in the account to the institutions of higher education that contributed to

the account as formerly provided by the required tuition set aside and only for a purpose other than the Texas B-On-time loan program. The bill requires such an appropriation to be made so that each of the institutions of higher education receives an amount that is in proportion to the net amount the institution contributed to the account. The bill's provisions relating to the Texas-B-On-time student loan program, excluding the repeals, apply beginning with tuition charged for the 2015 fall semester.

C.S.H.B. 7 amends the Government Code to require the comptroller, after each regular session of the legislature, to issue a report to be published on the comptroller's website that itemizes each general revenue-dedicated account and the estimated balance and revenue in each account that is considered available for the purposes of certification of appropriations. The bill includes the coastal protection account and the Alamo complex account among the accounts to which statutory provisions relating to the reallocation of interest or other earnings that accrue on certain dedicated revenue do not apply.

C.S.H.B. 7 includes among the entities to which the legislature may appropriate money deposited to the credit of the sexual assault program fund any state agency or organization for the purpose of conducting human trafficking enforcement programs, any other designated state agency for the purpose of preventing sexual assault or improving services for victims of sexual assault, and the Bureau of Business Research at the University of Texas at Austin to conduct research on all aspects of sexual assault and domestic violence. The bill includes among the purposes for which the legislature may appropriate money deposited to the credit of the fund to the attorney general grants to prevent sex trafficking and to provide services for victims of sex trafficking and grants to carry out the purposes of statutory provisions relating to sexual assault prevention and crisis services. The bill requires the legislature, in making appropriations from the fund, to give priority to appropriations made to the office of the attorney general for certain purposes and to The University of Texas at Austin for certain purposes. The bill limits to not more than 20 percent of the revenue that is anticipated to be deposited in the fund during the state fiscal biennium, as projected in the biennial revenue estimate produced by the comptroller, appropriations made from the sexual assault program fund to any other agency or entity or for any other purpose. The bill authorizes money in the volunteer fire department assistance fund to be appropriated to the Texas Emergency Services Retirement System subject to statutory provisions governing state contributions to the system.

C.S.H.B. 7 amends the Health and Safety Code to include among activities to enhance the state's solid waste management program, and for which certain solid waste disposal and transportation fee revenue may be used, the provision of funds for grants to encourage entities located in certain affected counties or nonattainment areas under the Texas emissions reduction plan to convert heavy-duty vehicles used for municipal solid waste collection into vehicles powered by natural gas engines. The bill adds a temporary provision, set to expire September 30, 2016, authorizing money in the hazardous and solid waste remediation fee account attributable to fees imposed on the sale of batteries to be used for environmental remediation at the site of a closed battery recycling facility located in the municipal boundaries of a municipality with a population of greater than 120,000. The bill includes \$2 from the portion of each fee collected for the initial two-year inspection of a passenger car or light truck that is remitted to the state among the fees that constitute Clean Air Act fees.

C.S.H.B. 7 repeals Health and Safety Code provisions relating to regional emergency medical services, including the regional trauma account and payments from that account, and exempting the designated trauma facility and emergency medical services account from Government Code provisions relating to the use of dedicated revenue and the disposition of interest on investments of money in funds and accounts. The bill requires the comptroller, not later than the 90th day of the 2016 state fiscal year, to transfer any remaining balance in the regional trauma account No. 5137 to the credit of the designated trauma facility and EMS account No. 5111 in the general revenue fund. The bill removes earnings of the account from the composition of the account.

C.S.H.B. 7 amends the Insurance Code to exclude appropriations for contributions to the Texas Emergency Services Retirement System from the comptroller's assessment against certain insurers for rural fire protection. The bill adds a temporary provision, set to expire September 1, 2017, requiring the comptroller, for the 2016 and 2017 state fiscal years, to assess against all insurers to which Insurance Code provisions governing assessment for rural fire protection apply amounts for that state fiscal year necessary, as determined by the commissioner of insurance, to collect a combined total equal to the lesser of \$30 million or the total amount that the General Appropriations Act appropriates from the volunteer fire department assistance fund account in the general revenue fund for that state fiscal year other than appropriations for contributions to the Texas Emergency Services Retirement System, as added by the bill, and appropriations to the Texas A&M Forest Service for grants to volunteer fire departments in a total amount not to exceed \$11.5 million.

C.S.H.B. 7 amends the Natural Resources Code to increase from two-thirds to all the amount of the proceeds from the fee for an application for an exception to any rule of the Railroad Commission of Texas to be deposited to the oil and gas regulation and cleanup fund. The bill changes the disposition of proceeds from the crude oil production tax from the general revenue fund to the oil and gas regulation and cleanup fund. The bill includes among the components of the oil and gas regulation and cleanup fund deposited crude oil production tax revenue, certain fees collected in relation to gas pipelines, and fees collected for each application for an oil and gas waste disposal well permit. The bill includes the administration of pipeline safety and regulatory programs among the authorized uses of money in the oil and gas regulation and cleanup fund. The bill repeals a Natural Resources Code provision requiring proceeds from the crude oil production tax to be used for the administration of the state's oil and gas conservation laws.

C.S.H.B. 7 repeals Occupations Code provisions relating to certain fee surcharges and increases and additional fees applicable to the following occupations: physician, chiropractor, dentist, optometrist and therapeutic optometrist, psychologist, veterinarian, accountant, engineer, architect, landscape architect, interior designer, land surveyor, real estate broker and salesperson, and property tax consultant. The bill repeals a provision of The Securities Act, Vernon's Texas Civil Statutes, relating to increases in filing fees for certain dealers and investment advisers.

C.S.H.B. 7 amends the Occupations Code to include payment of the licensure program of the Texas Medical Board among the authorized uses of appropriations from the public assurance account. The bill authorizes the Department of Public Safety (DPS) to use money appropriated to DPS from the law enforcement officer standards and education fund account to award grants to local law enforcement agencies for training on incident-based reporting systems to be used for reporting information and statistics concerning criminal offenses committed in Texas. The bill exempts money used for this purpose from the required allocation of money from the account for the continuing education of law enforcement officers and requires DPS, not later than January 1, 2016, to adopt rules governing the award of the grants.

C.S.H.B. 7 amends the Tax Code to limit the counties in which a Texas emissions reduction plan surcharge is imposed on the retail sale, lease, rental, storage, use, or other consumption of new or used equipment to counties certified by the Texas Commission on Environmental Quality (TCEQ) as being in a nonattainment area or as an affected county under the plan. The bill requires the comptroller to deposit the remaining proceeds of the cigar and tobacco products tax, following certain other required deposits, to the credit of the general revenue fund if the comptroller determines that the unencumbered beginning balance of the physician education loan repayment account is sufficient to fund appropriations and other direct and indirect costs from that account for the fulfillment of existing and expected physician loan repayment commitments during the current state fiscal biennium. The bill limits the appropriation of such proceeds to health care purposes. The bill repeals Tax Code provisions relating to the attorney occupation tax.

C.S.H.B. 7 amends the Transportation Code to extend the deadline by which the comptroller is required to eliminate all dedicated accounts established for specialty license plates and to set aside the balances of those accounts to be appropriated only for the purposes intended as provided by the dedications from September 30, 2013, to September 30, 2015. The bill decreases the fee for the renewal of a Class M license or of a license that includes authorization to operate a motorcycle from \$32 to \$27 and the fee for an applicant applying for additional authorization to operate a motorcycle from \$15 to \$10. The bill decreases the amount by which a Class A, B, or C driver's license fee or a commercial driver's license or commercial driver learner's permit is increased if the license or permit includes an authorization to operate a motorcycle or moped from \$8 to \$3. The bill decreases the fee for the renewal of a commercial driver's license or a commercial driver learner's permit that includes authorization to operate a motorcycle from \$45 to \$40.

C.S.H.B. 7 repeals Transportation Code provisions relating to the motorcycle education fund account and prohibiting money appropriated to the Texas Department of Motor Vehicles (TxDMV) for Automobile Burglary and Theft Prevention Authority purposes and other revenue collected or received by the authority from being deposited into the TxDMV fund. The bill requires the comptroller, not later than the 90th day of the 2016 state fiscal year, to transfer any remaining balance in the motorcycle education account No. 0501 to the credit of the general revenue fund.

C.S.H.B. 7 replaces the regional trauma account with the designated trauma facility and emergency medical services account as the account into which revenue from certain traffic penalties is to be deposited. The bill lowers the driver's license surcharge for a conviction of driving while the driver's license is invalid or without financial responsibility from \$250 per year to \$125 per year if the person convicted has been convicted only of an offense of a failure to maintain motor vehicle liability insurance or to otherwise establish financial responsibility and the person establishes financial responsibility not later than the 60th day after the date of the offense through a motor vehicle liability insurance policy that complies with applicable law and is prepaid and valid for at least a six-month period. The bill lowers the driver's license surcharge for a conviction of driving without a valid license from \$100 per year to \$50 per year if the person obtains a driver's license not later than the 60th day after the date of the offense. These provisions regarding driver's license surcharges apply to a surcharge pending on the bill's effective date, regardless of when the surcharge was assessed.

C.S.H.B. 7 amends the Utilities Code to replace a provision establishing that an assessment is imposed on each public utility, retail electric provider, and electric cooperative under the jurisdiction of the Public Utility Commission of Texas (PUC) that serves the ultimate customer for the purpose of defraying certain PUC administrative costs with a requirement that the PUC impose on each such entity an annual utility gross receipts assessment for the same purpose. The bill requires the PUC to impose the assessment so that each entity's share of the aggregate amount of the assessments due bears the same proportion to that aggregate amount as that entity's amount of gross receipts from rates charged to the ultimate consumer bears to the total of the gross receipts from rates charged to the ultimate consumer in Texas by all of the entities on which the assessment is imposed. The bill requires the PUC to revise the assessments as necessary to result in the aggregate amount of assessments due being equal to a certain amount. The bill requires the comptroller to deposit the assessments, penalties, and interest collected for PUC financing to the credit of the utility gross receipts assessment account which the bill establishes as an account in the general revenue fund. The bill limits the appropriation of money in the account to the PUC or the Office of Public Utility Counsel for the administration of the Public Utility Regulatory Act. The bill's provisions relating to the public utility assessment are applicable only to an assessment made to be due on or after August 15, 2017. The bill requires the PUC, if the PUC does not take action to determine the amount of assessments to be due August 15, 2017, following the method provided by the bill, to impose the assessment as provided by law as it existed immediately before the bill's effective date and continues the law in effect for that purpose.

C.S.H.B. 7 removes the cap on the rate at which money in the system benefit fund may be appropriated to a program established to assist low-income electric customers by providing a reduced electricity rate for the 2016 state fiscal biennium and removes language limiting the months for which that reduced rate may be provided to September 2015 and May through August 2016. The bill changes the required disposition of pipeline safety and regulatory fees from the general revenue fund to be used for the pipeline safety and regulatory program to the oil and gas regulation and cleanup fund.

C.S.H.B. 7 amends the Water Code to exclude any amount appropriated by the legislature from the petroleum storage tank remediation account for the purpose of the monitoring or remediation of releases occurring on or before December 22, 1998, from the appropriated amount considered by TCEQ in setting the amount of the fee on delivery of certain petroleum products as necessary to cover TCEQ's costs in administering statutory provisions relating to underground and aboveground storage tanks. The bill requires the fee collected with each application for an oil and gas waste disposal well permit to be deposited to the credit of the oil and gas regulation and cleanup fund.

C.S.H.B. 7 repeals the following provisions, including provisions amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015:

- Section 102.055, Business & Commerce Code
- Section 56.459(f), Education Code
- Section 56.465, Education Code
- Section 61.539, Education Code
- Section 780.003(c), Health and Safety Code
- Chapter 782, Health and Safety Code
- Section 81.113, Natural Resources Code
- Section 153.053, Occupations Code
- Sections 201.153(b) and (c), Occupations Code
- Section 254.004(b), Occupations Code
- Section 351.153, Occupations Code
- Section 501.153, Occupations Code
- Sections 801.154(b), (c), and (d), Occupations Code
- Section 901.406, Occupations Code
- Section 901.407, Occupations Code
- Section 901.410, Occupations Code
- Section 1001.206, Occupations Code
- Section 1051.652, Occupations Code
- Section 1052.0541, Occupations Code
- Section 1053.0521, Occupations Code
- Section 1071.1521, Occupations Code
- Section 1101.153, Occupations Code
- Section 1105.003(e), Occupations Code
- Section 1152.053, Occupations Code

- Subchapter H, Chapter 191, Tax Code
- Section 662.011, Transportation Code
- Section 1001.151(c), Transportation Code
- Section 41, The Securities Act (Article 581-41, Vernon's Texas Civil Statutes)

**EFFECTIVE DATE**

September 1, 2015.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 7 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

SECTION 1. Section 102.055, Business & Commerce Code, is amended to read as follows:

Sec. 102.055. ALLOCATION OF ADDITIONAL REVENUE. ~~[(a)]~~ The comptroller shall deposit all amounts received from the fee imposed under this subchapter after the first \$25 million in a state fiscal biennium to the credit of the general revenue fund ~~[in the Texas health opportunity pool established under Subchapter N, Chapter 531, Government Code. Money deposited in the pool under this section may be used only to provide health benefits coverage premium payment assistance to low income persons through a premium payment assistance program developed under that subchapter].~~

~~[(b) This section takes effect only if Senate Bill No. 10, Acts of the 80th Legislature, Regular Session, 2007, becomes law and the Texas health opportunity pool is established under that Act. If that Act does not become law, or that Act becomes law but the pool is not established, this section has no effect, and the revenue is deposited as provided by Section 47.0551.]~~

**No equivalent provision.**  
(But see SECTION 1 above.)

**HOUSE COMMITTEE SUBSTITUTE**

**No equivalent provision.**  
(But see SECTION 1 below.)

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

Sec. 102.054. ALLOCATION OF CERTAIN REVENUE FOR SEXUAL ASSAULT PROGRAMS. The comptroller shall deposit the amounts ~~[first \$25 million]~~ received from the fee imposed under this

subchapter [~~in a state fiscal biennium~~] to the credit of the sexual assault program fund.

SECTION 2. Section 21.703, Education Code, is amended.

No equivalent provision.

SECTION 2. Same as introduced version.

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

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

SECTION 3. Section 56.463, Education Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Money in the Texas B-On-time student loan account may be appropriated [~~used~~] only:

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

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

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

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

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

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

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

(b) Money in the Texas B-On-time student loan account may be appropriated [~~used~~] only:

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

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

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

SECTION 4. Section 61.5391(a), Education Code, is amended.

SECTION 5. Subchapter B, Chapter 403, Government Code, is amended.

No equivalent provision.

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

- (c) The legislature may appropriate money deposited to the credit of the fund only to:
- (1) the attorney general, for:
    - (A) sexual violence awareness and prevention campaigns;
    - (B) grants to faith-based groups, independent school districts, and community action organizations for programs for the prevention of sexual assault and programs for victims of human trafficking;
    - (C) grants for equipment for sexual assault nurse examiner programs, to support the preceptorship of future sexual assault nurse examiners, and for the continuing education of sexual assault nurse examiners;
    - (D) grants to increase the level of sexual

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.

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

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

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

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

- (c) The legislature may appropriate money deposited to the credit of the fund only to:
- (1) the attorney general, for:
    - (A) sexual violence awareness and prevention campaigns;
    - (B) grants to faith-based groups, independent school districts, and community action organizations for programs for the prevention of sexual assault and programs for victims of human trafficking;
    - (C) grants for equipment for sexual assault nurse examiner programs, to support the preceptorship of future sexual assault nurse examiners, and for the continuing education of sexual assault nurse examiners;
    - (D) grants to increase the level of sexual

assault services in this state;  
(E) grants to support victim assistance coordinators;  
(F) grants to support technology in rape crisis centers;  
(G) grants to and contracts with a statewide nonprofit organization exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code of 1986, having as a primary purpose ending sexual violence in this state, for programs for the prevention of sexual violence, outreach programs, and technical assistance to and support of youth and rape crisis centers working to prevent sexual violence; and  
(H) grants to regional nonprofit providers of civil legal services to provide legal assistance for sexual assault victims;

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

(3) the Institute on Domestic Violence and Sexual Assault at The University of Texas at Austin, to conduct research on all aspects of sexual assault and domestic violence;

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

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

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

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

(8) the Texas Department of Criminal Justice:

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

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

assault services in this state;  
(E) grants to support victim assistance coordinators;  
(F) grants to support technology in rape crisis centers;  
(G) grants to and contracts with a statewide nonprofit organization exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code of 1986, having as a primary purpose ending sexual violence in this state, for programs for the prevention of sexual violence, outreach programs, and technical assistance to and support of youth and rape crisis centers working to prevent sexual violence; ~~and~~  
(H) grants to regional nonprofit providers of civil legal services to provide legal assistance for sexual assault victims;

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

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

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

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

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

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

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

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

(8) the Texas Department of Criminal Justice:

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

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

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

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

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

(12) any state agency or organization for the purpose of conducting human trafficking enforcement programs.

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

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

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

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

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

(d) In making appropriations from the fund, the legislature shall give priority to appropriations made to the office of the attorney general for the purposes described by Subsection (c)(1) and to The University of Texas at Austin for the purposes described by Subsection (c)(3). Appropriations made from the sexual assault program fund to any other agency or entity or for any other purpose in a state fiscal biennium may not exceed 20 percent of the revenue that is anticipated to be deposited in the fund during that state fiscal biennium, as projected in the biennial revenue estimate produced by the comptroller.

SECTION 7. Section 614.104, Government Code, is amended.

No equivalent provision.

SECTION 9. Same as introduced version.

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

(a) Revenue received by the commission under Section 361.013 shall be deposited in the state treasury to the credit of the commission. Of that revenue, 66.7 percent is dedicated to the commission's municipal solid waste permitting programs, enforcement programs, and site remediation programs, and to pay for activities that will enhance the state's solid waste management

program. The commission shall issue a biennial report to the legislature describing in detail how the money was spent. The activities to enhance the state's solid waste management program may include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No equivalent provision.

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

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

SECTION 8. Section 382.0622(a), Health and Safety Code, is amended.

SECTION 12. Same as introduced version.

SECTION 9. Section 771.071(b), Health and Safety Code, is amended to read as follows:

(b) The amount of the fee may not exceed 50 cents a month for each line. The commission shall suspend the fees established under this section for the duration of any state fiscal biennium for which the unencumbered balance of the 9-1-1 services fee account and the anticipated revenue to be deposited to the account from fees on wireless telecommunications connections imposed under Section 771.0711 are sufficient to pay for all of the appropriations from that account. The commission may reinstate its imposition of the fees under this section if the commission

No equivalent provision.

anticipates that in the next succeeding state fiscal biennium the unencumbered balance of the 9-1-1 services fee account will not otherwise be sufficient to pay for all of the appropriations from that account.

SECTION 10. Sections 771.0711(a) and (b), Health and Safety Code, are amended to read as follows:

(a) To provide for automatic number identification and automatic location identification of wireless 9-1-1 calls, the commission shall impose on each wireless telecommunications connection a 9-1-1 emergency service fee in an amount determined by the commission to be sufficient, when considered together with the anticipated revenue from the 9-1-1 emergency service fees imposed under Section 771.071, to fund all entities in this state that provide emergency communications services but not more than 50 cents a month for each connection. A political subdivision may not impose another fee on a wireless service provider or subscriber for 9-1-1 emergency service.

(b) A wireless service provider shall collect the fee [~~in an amount equal to 50 cents a month~~] for each wireless telecommunications connection from its subscribers and shall pay the money collected to the comptroller not later than the 30th day after the last day of the month during which the fees were collected. The comptroller may establish alternative dates for payment of fees under this section. The wireless service provider may retain an administrative fee of one percent of the amount collected. The comptroller shall deposit the money from the fees to the credit of the 9-1-1 services fee account. Until deposited to the credit of the 9-1-1 services fee account as required by Subsection (c), money the comptroller collects under this subsection remains in a trust fund with the state treasury.

SECTION 11. The heading to Section 780.002, Health and Safety Code, is amended.

SECTION 12. Section 780.003(b), Health and Safety Code, is amended.

No equivalent provision.

SECTION 13. Same as introduced version.

SECTION 14. Same as introduced version.

SECTION 13. Section 2007.002, Insurance Code, is amended.

No equivalent provision.

No equivalent provision.

SECTION 15. Same as introduced version.

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

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

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

(c) The fund consists of:

- (1) proceeds from bonds and other financial security required by this chapter and benefits under well-specific plugging insurance policies described by Section 91.104(c) that are paid to the state as contingent beneficiary of the policies, subject to the refund provisions of Section 91.1091, if applicable;
- (2) private contributions, including contributions made under Section 89.084;
- (3) expenses collected under Section 89.083;
- (4) fees imposed under Section 85.2021;
- (5) costs recovered under Section 91.457 or 91.459;
- (6) proceeds collected under Sections 89.085 and 91.115;
- (7) interest earned on the funds deposited in the fund;
- (8) oil and gas waste hauler permit application fees collected under Section 29.015, Water Code;
- (9) costs recovered under Section 91.113(f);
- (10) hazardous oil and gas waste generation fees collected under Section 91.605;
- (11) oil-field cleanup regulatory fees on oil collected under Section 81.116;
- (12) oil-field cleanup regulatory fees on gas collected under Section 81.117;
- (13) fees for a reissued certificate collected under Section 91.707;
- (14) fees collected under Section 91.1013;
- (15) fees collected under Section 89.088;
- (16) fees collected under Section 91.142;
- (17) fees collected under Section 91.654;
- (18) costs recovered under Sections 91.656 and 91.657;
- (19) ~~[two-thirds of the]~~ fees collected under Section 81.0521;

- (20) fees collected under Sections 89.024 and 89.026;
- (21) legislative appropriations;
- (22) any surcharges collected under Section 81.070; [~~and~~]
- (23) fees collected under Section 91.0115;
- (24) money deposited to the credit of the fund under Section 81.112;
- (25) fees collected under Subchapter B, Chapter 121, Utilities Code; and
- (26) fees collected under Section 27.0321, Water Code.

No equivalent provision.

SECTION 18. Section 81.068, Natural Resources Code, as amended by Chapters 835 (H.B. 7) and 1075 (H.B. 3309), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:  
 Sec. 81.068. PURPOSES OF OIL AND GAS REGULATION AND CLEANUP FUND. Money in the oil and gas regulation and cleanup fund may be used by the commission or its employees or agents for any purpose related to the regulation of oil and gas development, including oil and gas monitoring and inspections, oil and gas remediation, and oil and gas well plugging, the study and evaluation of electronic access to geologic data and surface casing depths necessary to protect usable groundwater in this state, alternative fuels programs under Section 81.0681, the administration of pipeline safety and regulatory programs, public information and services related to those activities, and administrative costs and state benefits for personnel involved in those activities.

No equivalent provision.

SECTION 19. Section 81.112, Natural Resources Code, is amended to read as follows:  
 Sec. 81.112. DISPOSITION OF TAX PROCEEDS. The tax shall be deposited in the oil and gas regulation and cleanup fund as provided by Section 81.067 [~~General Revenue Fund~~].

No equivalent provision.

SECTION 20. Section 153.0535(b), Occupations Code, is amended to read as follows:  
 (b) The board shall deposit each surcharge collected to the credit of the public assurance account. The public assurance account is an account in the general revenue fund that shall be appropriated only to the

board to pay for the board's licensure and enforcement programs [~~program~~], including the expert physician panel.

No equivalent provision.

SECTION 21. Sections 201.354(d) and (g), Occupations Code, are amended to read as follows:

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

(g) A person may renew a license that has been expired for at least one year but not more than three years if:

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

(2) the person pays to the board:

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

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

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

(ii) two times the annual renewal fee set by the board under Section 201.153(a); ~~and~~ ~~[(C) the increase in the annual renewal fee required by Section 201.153(b)]~~.

No equivalent provision.

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

(b) A person whose license has been expired for 90 days or less may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ one and one-half times the annual renewal fee set by the board under Section 351.152 ~~[and the additional fee required by Section 351.153]~~. If a person's license has been expired for more

than 90 days but less than one year, the person may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ two times the annual renewal fee set by the board under Section 351.152 ~~[and the additional fee required by Section 351.153]~~.

No equivalent provision.

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

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

No equivalent provision.

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

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

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

No equivalent provision.

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

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

No equivalent provision.

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

(a) The fee for the issuance or renewal of a license under this chapter consists of:

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

(2) ~~[the fee increase imposed under Section 901.406; and~~

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

No equivalent provision.

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

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

No equivalent provision.

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

(a) A person, other than a person described by Section 901.405(f), who fails to pay the license renewal fee ~~[or the additional fee imposed under Section 901.407, as applicable,]~~ and any late fee before the first anniversary of the due date of the renewal fee ~~[or additional fee]~~ may renew the person's license only by submitting to the board an application for renewal accompanied by payment of:

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

No equivalent provision.

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

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

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

No equivalent provision.

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

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

- (1) file with the board a written notice requesting reinstatement to active status;
- (2) pay the fee for the annual renewal of the license [~~and the fee increase required by Section 1001.206~~]; and
- (3) provide evidence satisfactory to the board that the person has complied with the continuing education requirements adopted by the board.

No equivalent provision.

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

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

- (1) broker license is the amount of the fee set under Section [~~Sections~~] 1101.152 [~~and 1101.153~~] and an additional \$20 fee;
- (2) salesperson license is the amount of the fee set under Section 1101.152 and an additional \$20 fee; and
- (3) certificate of registration is the amount of the fee set under Section 1101.152 and an additional \$20 fee.

No equivalent provision.

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

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

SECTION 14. Section 1701.156, Occupations Code, is amended.

SECTION 33. Same as introduced version.

SECTION 15. Section 1701.157, Occupations Code, is amended.

SECTION 34. Same as introduced version.

No equivalent provision.

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

(b) In each county in this state certified by

the Texas Commission on Environmental Quality as being in a nonattainment area or as an affected county, as defined by Section 386.001, Health and Safety Code, a surcharge is imposed on the retail sale, lease, or rental of new or used equipment in an amount equal to two percent of the sale price or the lease or rental amount.

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

SECTION 16. Section 155.2415, Tax Code, is amended to read as follows:

Sec. 155.2415. ALLOCATION OF CERTAIN REVENUE TO PROPERTY TAX RELIEF FUND AND CERTAIN OTHER FUNDS. Notwithstanding Section 155.241, the proceeds from the collection of taxes imposed by Section 155.0211 shall be allocated as follows:

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

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

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

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

or  
(B) the general revenue fund, if the comptroller determines that the

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

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

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

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

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

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

or  
(B) the general revenue fund, if the comptroller determines that the

unencumbered beginning balance of the physician education loan repayment account established under Subchapter J, Chapter 61, Education Code, is sufficient to fund appropriations and other direct and indirect costs from that account for the current state fiscal year.

No equivalent provision.

No equivalent provision.

No equivalent provision.

unencumbered beginning balance of the physician education loan repayment account established under Subchapter J, Chapter 61, Education Code, is sufficient to fund appropriations and other direct and indirect costs from that account for the fulfillment of existing and expected physician loan repayment commitments during the current state fiscal biennium.

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

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

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

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

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

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

SECTION 39. Section 521.421(f), Transportation Code, as added by Chapter 1156 (S.B. 99), Acts of the 75th Legislature, Regular Session, 1997, is amended to read as follows:

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

No equivalent provision.

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

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

No equivalent provision.

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

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

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

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

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

No equivalent provision.

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

(f) The fee for renewal of a commercial driver's license or a commercial driver learner's permit that includes authorization to operate a motorcycle is \$40 [~~\$45~~].

No equivalent provision.

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

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

No equivalent provision.

SECTION 17. Section 542.406(c), Transportation Code, is amended.

SECTION 18. Section 707.008(a), Transportation Code, is amended.

SECTION 19. Section 708.103, Transportation Code, is amended.

SECTION 20. Section 708.104, Transportation Code, is amended.

SECTION 21. Section 39.903(m), Utilities Code, is amended to read as follows:  
(m) This section expires September 1, 2017 [2016].

No equivalent provision.

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

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

SECTION 45. Same as introduced version.

SECTION 46. Same as introduced version.

SECTION 47. Same as introduced version.

SECTION 48. Same as introduced version.

No equivalent provision.

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

Sec. 16.001. UTILITY GROSS RECEIPTS ASSESSMENT [~~ON PUBLIC UTILITIES~~].

(a) To defray the expenses incurred in the administration of this title, the commission shall impose [~~an assessment is imposed~~] on each public utility, retail electric provider, and electric cooperative under [~~within~~] the jurisdiction of the commission that serves the ultimate consumer, including each interexchange telecommunications carrier, an annual utility gross receipts assessment in an amount determined as provided by Subsection (b).

(b) The commission shall impose the assessment on each public utility, retail electric provider, electric cooperative, and interexchange telecommunications carrier so that each entity's share of the aggregate amount of the assessments due bears the same proportion to that aggregate amount as that entity's amount of gross receipts from rates charged to the ultimate consumer bears to the total of the gross receipts from rates charged to the ultimate consumer in this state by all of the entities on which the assessment is imposed. The commission shall revise the assessments as necessary to result in the aggregate amount of

assessments due under this section being ~~[An assessment under this section is]~~ equal to the lesser of:

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

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

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

No equivalent provision.

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

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

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

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

No equivalent provision.

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

Sec. 16.005. UTILITY GROSS RECEIPTS ASSESSMENT ACCOUNT. (a) The utility gross receipts assessment account is an account in the general revenue fund.

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

SECTION 22. Section 39.9039, Utilities Code, is amended to read as follows:

Sec. 39.9039. ELIMINATION OF SYSTEM BENEFIT FUND BALANCE. (a) Notwithstanding Section 39.903(b), the commission shall set the nonbypassable

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

system benefit fund fee at the amount of zero cents per megawatt hour for the period beginning September 1, 2013, and ending September 1, 2017 [2016].

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

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

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

(2) ~~[3]~~ for the state fiscal year beginning September 1, 2015, a program established by the commission to assist low-income electric customers by providing a reduced rate for the months of September, 2015, and May through August, 2016, in the manner prescribed by Section 39.903(h) at a rate of up to 33 [15] percent;

(3) for the state fiscal year beginning September 1, 2016, a program established by the commission to assist low-income electric customers by providing a reduced rate for the months of September, 2016, and May through August, 2017, in the manner prescribed by Section 39.903(h) at a rate of up to 33 percent; and

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

(c) This section expires September 1, 2017 [2016].

No equivalent provision.

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

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

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

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

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

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

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

SECTION 23. Section 26.3574(b-1), Water Code, is amended.

No equivalent provision.

SECTION 24. The following provisions of law are repealed:

- (1) Section 61.539, Education Code;
- (2) Section 780.003(c), Health and Safety Code; and
- (3) Chapter 782, Health and Safety Code.

SECTION 54. Same as introduced version.

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

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

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

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

- (1) Section 102.055, Business & Commerce Code;
- (2) Section 56.459(f), Education Code;
- (3) Section 56.465, Education Code;
- (4) Section 61.539, Education Code;
- (5) Section 780.003(c), Health and Safety Code;
- (6) Chapter 782, Health and Safety Code;
- (7) Section 81.113, Natural Resources Code;
- (8) Section 153.053, Occupations Code;
- (9) Sections 201.153(b) and (c), Occupations Code;
- (10) Section 254.004(b), Occupations Code;
- (11) Section 351.153, Occupations Code;
- (12) Section 501.153, Occupations Code;
- (13) Sections 801.154(b), (c), and (d), Occupations Code;
- (14) Section 901.406, Occupations Code;
- (15) Section 901.407, Occupations Code;
- (16) Section 901.410, Occupations Code;
- (17) Section 1001.206, Occupations Code;
- (18) Section 1051.652, Occupations Code;
- (19) Section 1052.0541, Occupations Code;
- (20) Section 1053.0521, Occupations Code;
- (21) Section 1071.1521, Occupations Code;
- (22) Section 1101.153, Occupations Code;
- (23) Section 1105.003(e), Occupations Code;
- (24) Section 1152.053, Occupations Code;
- (25) Subchapter H, Chapter 191, Tax Code;
- (26) Section 662.011, Transportation Code;
- (27) Section 1001.151(c), Transportation Code; and
- (28) Section 41, The Securities Act (Article 581-41, Vernon's Texas Civil Statutes).

SECTION 25. Not later than January 1, 2016, the Department of Public Safety shall adopt rules as required by Section 1701.156(c), Occupations Code, as added by this Act.

SECTION 26. The changes in law made by this Act to Sections 708.103 and 708.104, Transportation Code, apply to a surcharge pending on the effective date of this Act, regardless of when the surcharge was assessed.

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

SECTION 28. Not later than the 90th day of the state fiscal year beginning September 1, 2015, the comptroller shall transfer any remaining balance in the regional trauma account No. 5137 to the credit of the designated trauma facility and EMS account No. 5111 in the general revenue fund.

No equivalent provision.

No equivalent provision.

SECTION 57. Same as introduced version.

SECTION 58. Same as introduced version.

SECTION 59. Same as introduced version.

SECTION 60. Same as introduced version.

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

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

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

(A) appropriations for contributions to the Texas Emergency Services Retirement System made under Section 614.104(d),

Government Code, as added by this Act;  
and  
(B) appropriations to the Texas A&M Forest Service for grants to volunteer fire departments in a total amount not to exceed \$11,500,000; or  
(2) \$30 million.  
(b) This section expires September 1, 2017.

No equivalent provision.

SECTION 63. (a) The changes in law made to Sections 52.91 and 56.463, Education Code, apply beginning with tuition charged for the 2015 fall semester.  
(b) Tuition charged for any semester or other academic term before the 2015 fall semester is covered by the applicable law as it existed before the effective date of this Act, and the former law is continued in effect for that purpose.

No equivalent provision.

SECTION 64. (a) The changes in law made by the amendment of Section 16.001, Utilities Code, by this Act are applicable only to an assessment made under that section to be due on or after August 15, 2017, as provided by Section 16.002, Utilities Code. An assessment due before that date is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.  
(b) Notwithstanding Section 16.001, Utilities Code, as amended by this Act, if the Public Utilities Commission does not take action to determine the amount of assessments under that section to be due August 15, 2017, following the method described by Section 16.001(b), as amended by this Act, the commission shall impose the assessment under Section 16.001 as that provision existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

No equivalent provision.

SECTION 65. The changes in law made by this Act do not affect a surcharge, additional fee, additional charge, fee increase, tax, or late fee imposed before the effective date of this Act, and the law in effect before the effective date of this Act is continued in effect for purposes of the liability for and collection of those surcharges, additional fees, additional charges, fee increases, taxes, and late fees.

SECTION 29. This Act takes effect  
September 1, 2015.

SECTION 66. Same as introduced version.