

## **BILL ANALYSIS**

Senate Research Center  
81R3408 JD-F

S.B. 386  
By: Carona  
Administration  
3/2/2009  
As Filed

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

Currently, parking fines on the Texas Capitol Complex grounds are \$10, while parking fines in the City of Austin range from \$20 to \$300, and fines on the campus of The University of Texas range from \$15 to \$150. For this reason, some people will risk parking without a permit on Capitol Complex grounds rather than park on City of Austin or University of Texas grounds.

As proposed, S.B. 386 amends Sections 411.067(a) (relating to rules adopted under this section), (b) (relating to administrative review), and (d) (relating to deposit of administrative fines) of the Government Code to increase the amount of metered parking fines on Capitol Complex grounds from \$10 to \$25, and increase late payment fees for the fines from two to five dollars.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Department of Public Safety is modified in SECTION 1 (Section 411.067, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 411.067(a), (b), and (d), Government Code, as follows:

(a) Authorizes the Texas Department of Public Safety (DPS), rather than providing that DPS has the authority, to adopt rules for the assessment of an administrative fine of \$25, rather than \$10, for violations of the parking rules adopted under Section 411.063 (Rules Relating to Parking and Vehicles). Authorizes DPS, notwithstanding the provisions of Sections 411.065 (Offenses) and 411.066 (Jurisdiction), to issue an administrative citation for a parking violation. Deletes existing text authorizing DPS to issue the citation in its discretion.

(b) Requires that rules adopted under this section establish a system for enforcement of administrative citations, including assessment of a late fee not to exceed \$5, rather than including but not limited to assessment of a late fee not to exceed \$2, and towing, impoundment, or immobilization of vehicles; and provide a procedure of administration review within the highway patrol district that includes the Capitol Complex, rather than the capitol police district, and, on request of the person assessed an administrative fine, further judicial review by DPS filing the appropriate citation or complaint in a court, rather than a court of competent jurisdiction, as provided in Section 411.066. Deletes existing text providing that the citation or complaint is to be filed in a court of competent jurisdiction.

(d) Requires DPS to remit to the comptroller of public accounts for deposit in the general revenue fund each administrative fine and late fee collected under this section, rather than any administrative fine received under this section. Authorizes the money deposited, rather than such revenues, to be appropriated only to DPS for security and parking in the highway patrol district that includes the Capitol Complex, rather than capitol security and parking.

SECTION 2. Effective date: September 1, 2009.