

BILL ANALYSIS

C.S.H.B. 1140
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that fees related to vehicle storage should be adjusted in accordance with the Consumer Price Index for All Urban Consumers. C.S.H.B. 1140 seeks to address this issue by requiring the Texas Commission of Licensing and Regulation to biennially provide for such an adjustment.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1140 amends the Occupations Code to set the daily storage fee at \$20 for a vehicle that is not longer than 25 feet stored at a vehicle storage facility or governmental vehicle storage facility. The bill removes the authorization for an operator of such a facility to charge an owner of a vehicle that is parked or stored at the facility a fee for the remediation, recovery, or capture of an environmental or biological hazard.

C.S.H.B. 1140 provides for the increase or decrease, on January 1 of each even-numbered year, of the impoundment and storage fees imposed by a facility operator by an amount equal to the amount of the applicable fee in effect on December 31 of the previous year multiplied by the percentage increase or decrease in the Consumer Price Index for All Urban Consumers published by the U.S. Department of Labor's Bureau of Labor Statistics during the preceding state fiscal biennium. The bill requires the Texas Commission of Licensing and Regulation (TCLR), not later than November 1 of each odd-numbered year, to adjust the fees as such and publish the adjusted fees on the Texas Department of Licensing and Regulation website. The bill requires a facility operator to begin charging the adjusted fee amount on the effective date of any fee decrease and authorizes the operator to begin charging the adjusted fee at any time on or after the effective date of a fee increase.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1140 may differ from the original in minor or nonsubstantive ways, the

following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions setting the daily storage fee for certain vehicles at \$20 and removing the authorization to charge a fee for the remediation, recover, or capture of an environmental or biological hazard.

The substitute provides for the automatic increase or decrease of the applicable fees at the rate of inflation based on a calculation using the consumer price index and changes the specific index used to adjust the fees.

The substitute includes a requirement for TCLR to publish the adjusted fees on its website.