(1) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of one percent and received from hotels located on barrier islands in an eligible barrier island coastal municipality described by Subsection (c)(1)(C)(i) or (ii)

and

(2) issue to the eligible barrier island coastal municipality a warrant drawn on the general revenue fund for that amount; and

(2) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located on barrier islands in an eligible barrier island coastal municipality described by Subsection (c)(1)(C)(iii) and issue to the municipality a warrant drawn on the general revenue fund for that amount [computed under Subdivision (1)].

SECTION 2. Section 156.2512(c)(1), Tax Code, is amended to read as follows:

(1) “Eligible barrier island coastal municipality” means a municipality:

(A) that borders on the Gulf of Mexico;
(B) that is located wholly or partly on a barrier island; and
(C) the boundaries of which include:

(i) include a portion of a national seashore; or
(ii) include a national estuarine research reserve; or
(iii) are within 30 miles of the United Mexican States.

SECTION 3. Section 156.2512, Tax Code, is amended by adding Subsection (d) to read as follows:

(d) The comptroller may not issue a warrant to any municipality under this section for an amount that exceeds the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located within the municipality.

SECTION 4. This Act takes effect September 1, 2013.

Passed by the House on May 9, 2013: Yeas 92, Nays 46, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 23, Nays 8.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 703
H.B. No. 3068
AN ACT
relating to debit card or stored value card surcharges.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 59, Finance Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PROHIBITION OF SURCHARGE

Sec. 59.401. DEFINITIONS. In this subchapter:

(1) “Cardholder” means the person named on the face of a debit or stored value card to whom or for whose benefit the card is issued.

(2) “Debit card” has the meaning in Section 502.001, Business & Commerce Code.

(3) “Merchant” means a person in the business of selling or leasing goods or services.
(4) “Stored value card” has the meaning as defined in Section 604.001(1), Business & Commerce Code, but does not include the meaning as defined in Section 604.001(2), Business & Commerce Code.

Sec. 59.402. IMPOSITION OF SURCHARGE FOR USE OF DEBIT OR STORED VALUE CARD. (a) In a sale of goods or services, a merchant may not impose a surcharge on a buyer who uses a debit or stored value card instead of cash, a check, credit card, or a similar means of payment.

(b) This section does not apply to a state agency, county, local governmental entity, or other governmental entity that accepts a debit or stored value card for the payment of fees, taxes, or other charges.

SECTION 2. This Act takes effect September 1, 2013.

Passed by the House on April 26, 2013: Yeas 126, Nays 12, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 3068 on May 22, 2013: Yeas 144, Nays 3, 2 present, not voting; passed by the Senate, with amendments, on May 17, 2013: Yeas 25, Nays 5.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 704

H.B. No. 3070

AN ACT

relating to the designation of U.S. Highway 80 as a historic highway.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 442, Government Code, is amended by adding Section 442.028 to read as follows:

Sec. 442.028. U.S. HIGHWAY 80 AS TEXAS HISTORIC HIGHWAY. (a) The commission shall cooperate with the Texas Department of Transportation to designate, interpret, and market the portion of U.S. Highway 80 in Gregg and Upshur Counties as a Texas historic highway.

(b) To supplement revenue available for the purposes under Subsection (a), the commission and the Texas Department of Transportation may pursue federal funds dedicated to highway enhancement.

(c) A designation of a portion of U.S. Highway 80 as a Texas historic highway may not be construed as a designation under the National Historic Preservation Act (16 U.S.C. Section 470 et seq.).

(d) The Texas Department of Transportation is not required to design, construct, or erect a marker under this section unless a grant or donation of funds is made to the department to cover the cost of the design, construction, and erection of the marker. Money received to cover the cost of the marker shall be deposited to the credit of the state highway fund.

SECTION 2. This Act takes effect September 1, 2013.

Passed by the House on May 2, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

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