

BILL ANALYSIS

Senate Research Center
85R11406 MTB-D

S.B. 1348
By: Watson
Finance
4/26/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Legislature created the Auto Burglary and Theft Prevention Authority (ABTPA) in 1991 to coordinate efforts to combat auto theft across the state. In 2007, the legislature added auto burglary to its jurisdiction. Since that time, the ABTPA has worked to combat both crimes by increasing public awareness, awarding financial grants, and coordinating local law enforcement efforts.

When the legislature initially created the ABTPA, they funded it with a \$1 fee on auto insurance policies. In 2011, the fee was doubled to \$2 and statutory language was added stipulating that half of the fees collected may only be appropriated to the ABTPA. Despite these attempts to create a dedicated funding stream, the ABTPA has not received 100 percent of its appropriation since at least 1997. Instead, ABTPA fees are regularly used to certify the budget since they are classified as general revenue dollars.

To address this problem, S.B. 1348 sends half of the ABTPA revenue to a new subaccount within the Texas Department of Motor Vehicles fund and specifies that this revenue may be appropriated only to the ABTPA. Since the Texas Department of Motor Vehicles fund is a special fund that is outside the general revenue fund, this should insulate the ABTPA's funding stream from budget fluctuations. This will help the state continue to combat auto burglary and theft, which continues to cost Texans almost \$1 billion a year.

As proposed, S.B. 1348 amends current law relating to the deposit and appropriation of revenue received or collected by the Automobile Burglary and Theft Prevention Authority.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 10(e), Article 4413(37), Revised Statutes, as follows:

(e) Requires that fifty percent of each fee collected under Subsection (b) of this section be deposited to the credit of the subaccount described by Section 13 of this article and provides that it may be appropriated only to the Texas Department of Motor Vehicles (TxDMV), rather than the Automobile Burglary and Theft Prevention Authority (ABTPA), for purposes of ABTPA under this article. Makes nonsubstantive changes.

SECTION 2. Amends Article 4413(37), Revised Statutes, by adding Section 13, as follows:

Sec. 13. DEPOSIT AND APPROPRIATION OF REVENUE. Requires that all gifts, grants, and other revenue collected or received by ABTPA be deposited to the credit of a subaccount in the TxDMV fund and provides that it may be appropriated only to TxDMV for purposes of ABTPA under this article.

SECTION 3. Amends Section 1001.152, Transportation Code, as follows:

Sec. 1001.152. USE OF MONEY IN FUND. Authorizes money that is required to be deposited in the state treasury to the credit of the TxDMV fund to be used by TxDMV only:

(1) makes no changes to this subdivision;

(2) makes a nonsubstantive change;

(3) for purposes of ABTPA under Section 13, Article 4413(37), Revised Statutes.

SECTION 4. Repealer: Section 1001.151(c) (relating to prohibiting money appropriated to TxDMV for ABTPA purposes and other revenue collected or received by ABTPA from being deposited into the TxDMV fund), Transportation Code.

SECTION 5. Effective date: September 1, 2017.