

AN ACT

relating to the determination that certain property is used as an aid or facility incidental to or useful in the operation or development of a port or waterway or in aid of navigation-related commerce for purposes of the application of certain ad valorem tax laws.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.07, Tax Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) For purposes of Subsection (b)(6)(B) of this section, property is used as an aid or facility incidental to or useful in the operation or development of a port or waterway or in aid of navigation-related commerce if the property:

(1) is leased to a person:

(A) engaged in the business of navigation-related commerce; or

(B) for a purpose described by Section 60.101, 61.162, or 63.153, Water Code, or for the placement on the property of an improvement described by those sections;

(2) is located:

(A) adjacent to a federal navigation project; or

(B) in a foreign trade zone established and operated under federal law; or

(3) includes part of a rail facility that serves the

1 tenants and users of the port or waterway.

2 (e) In this section, "navigation-related commerce" includes
3 the following if engaged in by a person:

4 (1) an activity that requires the person to hold a
5 maritime-related license or permit issued by a navigation district,
6 including providing stevedoring, steamship agency, towing,
7 tugboat, or line handling services;

8 (2) an activity that requires the person to hold a
9 franchise issued by a navigation district;

10 (3) possessing a leasehold interest in property owned
11 by a navigation district that connects infrastructure to a public
12 dock;

13 (4) hauling cargo into or across a public dock;

14 (5) commercial fishing;

15 (6) constructing, fabricating, cleaning, repairing,
16 dismantling, or recycling vessels;

17 (7) pilotage; or

18 (8) an activity described by Section 60.101, 61.162,
19 or 63.153, Water Code.

20 SECTION 2. This Act applies only to the taxation of property
21 for a tax year beginning on or after the effective date of this Act.

22 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1315 passed the Senate on April 27, 2021, by the following vote: Yeas 29, Nays 2; May 25, 2021, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2021, House granted request of the Senate; May 30, 2021, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 1315 passed the House, with amendments, on May 23, 2021, by the following vote: Yeas 135, Nays 10, one present not voting; May 27, 2021, House granted request of the Senate for appointment of Conference Committee; May 30, 2021, House adopted Conference Committee Report by the following vote: Yeas 106, Nays 33, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor