By: King S.B. No. 2322

(In the Senate - Filed March 11, 2025; March 25, 2025, read first time and referred to Committee on Economic Development; April 22, 2025, reported adversely, with favorable Committee Substitute by the following vote: Yeas 3, Nays 2; April 22, 2025, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	Absent	PNV
King	X			
Sparks	X			
Alvarado		X		
Johnson		X		
Schwertner	X			

COMMITTEE SUBSTITUTE FOR S.B. No. 2322 By: Schwertner

A BILL TO BE ENTITLED

AN ACT

relating to the findings required to be made by the comptroller of public accounts in order to recommend for approval an application for a limitation on the taxable value of eligible property for school district maintenance and operations ad valorem tax purposes under the Texas Jobs, Energy, Technology, and Innovation Act.

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

SECTION 1. Section 403.609(b), Government Code, as added by Chapter 377 (H.B. 5), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(b) The comptroller may not recommend an application for approval unless the comptroller finds that:

(1) the proposed project that is the subject of the application is an eligible project;

(2) the proposed project is reasonably likely to generate, before the 20th anniversary of the first day of the construction period, state or local tax revenue, including ad valorem tax revenue attributable to the effect of the project on the economy of this state, in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement;

(3) <u>for a proposed project other than a facility described by Section 403.602(8)(A)(i)(b),</u> the agreement is a compelling factor in a competitive site selection determination and that, in the absence of the agreement, the applicant would not make the proposed investment in this state; and

(4) if the application indicates that the eligible project is proposed to be located in a qualified opportunity zone, the project is located in the zone.

SECTION 2. The change in law made by this Act applies only to an agreement entered into under Subchapter T, Chapter 403, Government Code, as added by Chapter 377 (H.B. 5), Acts of the 88th Legislature, Regular Session, 2023, pursuant to an application submitted under that subchapter on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2025.

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