

By: Smith of Tarrant

H.B. No. 225

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an exemption from the sales and use tax for food sold
3 during certain athletic events.

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

5 SECTION 1. Section 151.314(d), Tax Code, is amended to read
6 as follows:

7 (d) Food products, meals, soft drinks, and candy for human
8 consumption are exempted from the taxes imposed by this chapter if:

9 (1) served by a public or private school, school
10 district, student organization, or parent-teacher association
11 under an agreement with the proper school authorities in an
12 elementary or secondary school during the regular school day or by a
13 parent-teacher association during a fund-raising sale the proceeds
14 of which do not benefit an individual;

15 (2) sold by a church or at a function of a church;

16 (3) served to a patient or inmate of a hospital or
17 other institution licensed by the state for the care of humans;
18 [~~or~~]

19 (4) served to a permanent resident of a retirement
20 facility which provides permanent housing and residence to
21 individuals, a majority of whom are 60 years or older; or

22 (5) sold by a concession stand at an athletic event
23 sponsored or sanctioned by a school district.

24 SECTION 2. (a) This Act takes effect July 1, 2003, if it

1 receives a vote of two-thirds of all the members elected to each
2 house, as provided by Section 39, Article III, Texas Constitution.
3 If this Act does not receive the vote necessary for effect on that
4 date, this Act takes effect September 1, 2003.

5 (b) The change in law made by this Act does not affect taxes
6 imposed before the effective date of this Act, and the former law is
7 continued in effect for purposes of the liability for and
8 collection of those taxes.