

Amend **CSHB 3** as follows:

(1) Strike SECTION 1.01 of the bill and substitute the following:

SECTION 1.01. Section 45.003, Education Code, is amended by amending Subsection (d) and adding Subsections (d-1), (d-2), and (e) to read as follows:

(d) A proposition submitted to authorize the levy of maintenance taxes must include the question of whether the governing board or commissioners court may levy, assess, and collect annual ad valorem taxes for the further maintenance of public schools, at a rate not to exceed the rate stated in the proposition, which may be not more than the sum of:

(1) \$1.10 [~~\$1.50~~] on the \$100 valuation of taxable property in the district; and

(2) \$0.15 on the \$100 valuation of taxable property in the district for enrichment, as authorized by an election as provided by Chapter 42 [~~, stated in the proposition~~].

(d-1) Notwithstanding Subsection (d), for the following tax years, a proposition submitted to authorize the levy of maintenance taxes must include the question of whether the governing board or commissioners court may levy, assess, and collect annual ad valorem taxes for the further maintenance of public schools, at a rate not to exceed the rate stated in the proposition, which may be not more than the sum of:

(1) for the 2005 tax year:

(A) \$1.30 on the \$100 valuation of taxable property in the district; and

(B) \$0.15 on the \$100 valuation of taxable property in the district for enrichment, as authorized by an election as provided by Chapter 42; and

(2) for the 2006 tax year:

(A) \$1.25 on the \$100 valuation of taxable property in the district; and

(B) \$0.15 on the \$100 valuation of taxable property in the district for enrichment, as authorized by an election as provided by Chapter 42.

(d-2) Subsection (d-1) and this subsection expire January 1, 2007.

(e) An election held before January 1, 2005, authorizing a maintenance tax at a rate of at least \$1.30 on the \$100 valuation of taxable property in the district is sufficient to authorize a rate of \$1.30 or less for the 2005 tax year. An election held before January 1, 2006, authorizing a maintenance tax at a rate of at least

\$1.25 on the \$100 valuation of taxable property in the district is sufficient to authorize a rate of \$1.25 or less for the 2006 tax year. An election held before January 1, 2007, authorizing a maintenance tax at a rate of at least \$1.10 on the \$100 valuation of taxable property in the district is sufficient to authorize a rate of \$1.10 or less for the 2007 and subsequent tax years.

(2) Strike PART E of ARTICLE 2 of the bill (committee printing page 8, line 45, through page 27, line 47) and substitute the following:

PART E. REPEAL OF THE FRANCHISE TAX

SECTION 2E.01. Chapter 171, Tax Code, is repealed effective January 1, 2008.

(3) On page 32, line 4 of the bill, strike "2007" and substitute "2006".

(4) Strike ARTICLE 5 of the bill (committee printing page 33, lines 30 through 58) and substitute the following:

ARTICLE 5. BUSINESS TAX REVIEW COMMISSION

SECTION 5.01. (a) The business tax review commission is composed of:

- (1) five public members appointed by the governor;
- (2) two public members and three members of the senate appointed by the lieutenant governor; and
- (3) two public members and three members of the house of representatives appointed by the speaker of the house of representatives.

(b) The governor, lieutenant governor, and speaker of the house of representatives shall jointly select the chairman from among the members.

(c) The commission shall examine all aspects of the taxation of business in this state and shall recommend to the 80th Legislature a business tax structure that provides equity among businesses and among industries, promotes economic competitiveness with other states, and is fairly related to the benefits, opportunities, and protections provided to businesses by the state.

(d) The commission shall report its findings and recommendations to the 80th Legislature on or before January 9, 2007.

(e) On request of the commission, the legislative budget board, the legislative council, the governor's office, the senate, and the house of representatives shall provide staff and other resources necessary to carry out the duties of the commission.

(f) On request of the commission, the comptroller of public accounts shall provide information and assistance to the commission.

(g) The commission may issue a subpoena or other process to a witnesses at any place in this state, compel the attendance of the witness, and compel the production of a book, record, document or instrument that the commission requires. If necessary to obtain compliance with a subpoena or other process, the commission may issue a writ of attachment. A subpoena or other process issued by the commission may be addressed to and served by any peace officer of this state or any of its political subdivisions. The chairman shall issue, in the name of the commission, a subpoena or other process as the commission directs. If the chairman is absent, the vice-chairman or any designee of the chairman may issue a subpoena or process in the same manner as the chairman. A witness attending proceedings of the commission under process is entitled to the same mileage and per diem as a witness before a grand jury in this state. The testimony given at any hearing conducted under this article shall be given under oath subject to the penalties of perjury. If a person disobeys a lawfully issued subpoena or other process, the commission may cite the person for contempt and cause the person to be prosecuted for contempt according to the procedure prescribed by Chapter 301, Government Code, or by other law.

(h) This section expires September 1, 2007.

(5) Add the following new ARTICLE, appropriately numbered, to read as follows:

ARTICLE \_\_. PROFESSIONAL FEES

PART A. TEMPORARY INCREASE IN PROFESSIONAL FEES

SECTION \_\_A.01. Section 153.053, Occupations Code, is amended to read as follows:

Sec. 153.053. SURCHARGE FOR CERTAIN FEES. (a) The board shall collect a fee surcharge as follows:

- (1) \$400 [~~\$200~~] for the license fee;

- (2) \$800 [~~\$400~~] for the first registration permit;
- (3) \$800 [~~\$400~~] for renewal of a registration permit;

and

- (4) \$400 [~~\$200~~] for reinstatement of a license after cancellation for cause.

(b) Of each surcharge collected under Subsections (a)(1) and (4), the board shall deposit \$100 [~~\$50~~] to the credit of the foundation school fund and \$300 [~~\$150~~] to the credit of the general revenue fund.

(c) Of each surcharge collected under Subsections (a)(2) and (3), the board shall deposit \$200 [~~\$100~~] to the credit of the foundation school fund and \$600 [~~\$300~~] to the credit of the general revenue fund.

SECTION \_\_A.02. Sections 201.153(b) and (c), Occupations Code, are amended to read as follows:

(b) Each of the following fees imposed under Subsection (a) is increased by \$400 [~~\$200~~]:

- (1) the fee for an annual renewal of a license;
- (2) the fee for issuance of a license to an out-of-state applicant;
- (3) the fee for an examination; and
- (4) the fee for a reexamination.

(c) For each \$400 [~~\$200~~] fee increase collected under Subsection (b), \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.03. Section 254.004(b), Occupations Code, is amended to read as follows:

(b) The amount of the dental application fee and dentist annual renewal fee is the amount set by the board under Subsection (a) and an additional charge of \$400 [~~\$200~~]. Of each fee increase collected under this subsection, \$100 [~~\$50~~] shall be deposited to the credit of the foundation school fund and \$300 [~~\$150~~] shall be deposited to the credit of the general revenue fund.

SECTION \_\_A.04. Sections 351.153(a) and (b), Occupations Code, are amended to read as follows:

(a) The fee for the issuance of a license under this chapter

and the fee for the renewal of a license under this chapter are the amounts of those fees set by the board under Section 351.152 and an additional fee of \$400 [~~\$200~~].

(b) Of each additional fee collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.05. Sections 501.153(a) and (b), Occupations Code, are amended to read as follows:

(a) The amount of the following fees is the amount set by the board under Section 501.152 and an additional charge of \$400 [~~\$200~~]:

- (1) the fee for renewing a license;
- (2) the fee for applying to take the provisional license examination; and
- (3) the fee for renewing a provisional license.

(b) Of each additional \$400 [~~\$200~~] collected, \$100 [~~\$50~~] shall be deposited to the credit of the foundation school fund and \$300 [~~\$150~~] shall be deposited to the credit of the general revenue fund.

SECTION \_\_A.06. Sections 801.154(b) and (c), Occupations Code, are amended to read as follows:

(b) The license renewal fee set by the board under this chapter is the amount set by the board under Subsection (a) and an additional fee of \$400 [~~\$200~~].

(c) Of each additional fee collected under Subsection (b), \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.07. Section 901.406, Occupations Code, is amended to read as follows:

Sec. 901.406. FEE INCREASE. (a) The fee for the issuance of a certificate under this chapter and the fee for the issuance or renewal of a license under this chapter is the amount of the fee set by the board under Section 901.154 and a fee increase of \$400 [~~\$200~~].

(b) For each fee increase collected under this section, \$100 [~~\$50~~] shall be deposited to the credit of the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.08. Sections 1001.206(a) and (b), Occupations Code, are amended to read as follows:

(a) The fee for a license under this chapter, for the annual renewal of that license, and for a reciprocal license under this chapter is increased by \$400 [~~\$200~~].

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.09. Section 1051.652, Occupations Code, is amended to read as follows:

Sec. 1051.652. FEE INCREASE. (a) The fee for the issuance of a certificate to an applicant possessing a license or certificate to practice architecture in another state and the fee for the renewal of a certificate under this chapter are increased by \$400 [~~\$200~~].

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.10. Section 1052.0541, Occupations Code, is amended to read as follows:

Sec. 1052.0541. FEE INCREASE. (a) The fee for the issuance of a certificate of registration under this chapter and the fee for the renewal of a certificate of registration under this chapter is increased by \$400 [~~\$200~~].

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.11. Section 1053.0521, Occupations Code, is amended to read as follows:

Sec. 1053.0521. FEE INCREASE. (a) The fee for the issuance of a certificate of registration under this chapter and the fee for the renewal of a certificate of registration under this chapter is increased by \$400 [~~\$200~~].

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.12. Sections 1071.1521(a) and (b), Occupations

Code, are amended to read as follows:

(a) The fee for the issuance of a certificate of registration to a registered professional land surveyor under this chapter and the fee for the renewal of a certificate of registration for a registered professional land surveyor under this chapter is increased by \$400 [~~\$200~~].

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.13. Section 1101.153, Occupations Code, is amended to read as follows:

Sec. 1101.153. FEE INCREASE. (a) The fee for filing an original application for an individual broker license and the fee for annual renewal of an individual broker license is the amount of the fee set by the commission under Section 1101.152 and a fee increase of \$400 [~~\$200~~].

(b) Of each fee increase collected under Subsection (a), \$100 [~~\$50~~] shall be deposited to the credit of the foundation school fund and \$300 [~~\$150~~] shall be deposited to the credit of the general revenue fund.

SECTION \_\_A.14. Section 1152.053, Occupations Code, is amended to read as follows:

Sec. 1152.053. FEE INCREASE. (a) The fee for the registration of a person under this chapter and the fee for the renewal of a registration under this chapter is increased by \$400 [~~\$200~~].

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited in the foundation school fund and \$300 [~~\$150~~] shall be deposited in the general revenue fund.

SECTION \_\_A.15. Section 191.142(b), Tax Code, is amended to read as follows:

(b) The tax rate is \$400 [~~\$200~~] per year to be paid in advance.

SECTION \_\_A.16. Section 41, The Securities Act (Article 581-41, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 41. INCREASE IN FEES. (a) Each of the following fees



imposed by or under another section of this Act is increased by \$400 [~~\$200~~]:

(1) fee for filing any original application of a dealer or investment adviser or for submitting a notice filing for a federal covered investment adviser;

(2) fee for filing any renewal application of a dealer or investment adviser or for submitting a renewal notice filing for a federal covered investment adviser;

(3) fee for filing any original application for agent, officer, or investment adviser representative or for submitting a notice filing for an investment adviser representative of a federal covered investment adviser; and

(4) fee for filing any renewal application for agent, officer, or investment adviser representative or for submitting a renewal notice filing for an investment adviser representative of a federal covered investment adviser.

(b) Of each fee increase collected, \$100 [~~\$50~~] shall be deposited to the credit of the foundation school fund and \$300 [~~\$150~~] shall be deposited to the credit of the general revenue fund. This subsection applies to the disposition of each fee increase regardless of any other provision of law providing for a different disposition of funds.

SECTION \_\_A.17. This part applies only to a fee imposed on or after the effective date of this part. A fee imposed before that date is governed by the law in effect on the date the fee is imposed, and that law is continued in effect for that purpose.

SECTION \_\_A.18. This part takes effect September 1, 2005, if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for effect on that date, this part takes effect November 1, 2005.

PART B. REPEAL OF TEMPORARY PROFESSIONAL FEES INCREASE

SECTION \_\_B.01. Section 153.053, Occupations Code, is amended to read as follows:

Sec. 153.053. SURCHARGE FOR CERTAIN FEES. (a) The board shall collect a fee surcharge as follows:

(1) \$200 for the license fee;

(2) \$400 for the first registration permit;  
(3) \$400 for renewal of a registration permit; and  
(4) \$200 for reinstatement of a license after  
cancellation for cause.

(b) Of each surcharge collected under Subsections (a)(1) and (4), the board shall deposit \$50 to the credit of the foundation school fund and \$150 to the credit of the general revenue fund.

(c) Of each surcharge collected under Subsections (a)(2) and (3), the board shall deposit \$100 to the credit of the foundation school fund and \$300 to the credit of the general revenue fund.

SECTION \_\_B.02. Sections 201.153(b) and (c), Occupations Code, are amended to read as follows:

(b) Each of the following fees imposed under Subsection (a) is increased by \$200:

- (1) the fee for an annual renewal of a license;
- (2) the fee for issuance of a license to an out-of-state applicant;
- (3) the fee for an examination; and
- (4) the fee for a reexamination.

(c) For each \$200 fee increase collected under Subsection (b), \$50 shall be deposited in the foundation school fund and \$150 shall be deposited in the general revenue fund.

SECTION \_\_B.03. Section 254.004(b), Occupations Code, is amended to read as follows:

(b) The amount of the dental application fee and dentist annual renewal fee is the amount set by the board under Subsection (a) and an additional charge of \$200. Of each fee increase collected under this subsection, \$50 shall be deposited to the credit of the foundation school fund and \$150 shall be deposited to the credit of the general revenue fund.

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(a) The fee for the issuance of a license under this chapter and the fee for the renewal of a license under this chapter are the amounts of those fees set by the board under Section 351.152 and an additional fee of \$200.

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(a) The amount of the following fees is the amount set by the board under Section 501.152 and an additional charge of \$200:

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- (2) the fee for applying to take the provisional license examination; and
- (3) the fee for renewing a provisional license.

(b) Of each additional \$200 collected, \$50 shall be deposited to the credit of the foundation school fund and \$150 shall be deposited to the credit of the general revenue fund.

SECTION \_\_B.06. Sections 801.154(b) and (c), Occupations Code, are amended to read as follows:

(b) The license renewal fee set by the board under this chapter is the amount set by the board under Subsection (a) and an additional fee of \$200.

(c) Of each additional fee collected under Subsection (b), \$50 shall be deposited in the foundation school fund and \$150 shall be deposited in the general revenue fund.

SECTION \_\_B.07. Section 901.406, Occupations Code, is amended to read as follows:

Sec. 901.406. FEE INCREASE. (a) The fee for the issuance of a certificate under this chapter and the fee for the issuance or renewal of a license under this chapter is the amount of the fee set by the board under Section 901.154 and a fee increase of \$200.

(b) For each fee increase collected under this section, \$50 shall be deposited to the credit of the foundation school fund and \$150 shall be deposited in the general revenue fund.

SECTION \_\_B.08. Sections 1001.206(a) and (b), Occupations Code, are amended to read as follows:

(a) The fee for a license under this chapter, for the annual renewal of that license, and for a reciprocal license under this chapter is increased by \$200.

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Sec. 1101.153. FEE INCREASE. (a) The fee for filing an original application for an individual broker license and the fee for annual renewal of an individual broker license is the amount of the fee set by the commission under Section 1101.152 and a fee increase of \$200.

(b) Of each fee increase collected under Subsection (a), \$50 shall be deposited to the credit of the foundation school fund and \$150 shall be deposited to the credit of the general revenue fund.

SECTION \_\_B.14. Section 1152.053, Occupations Code, is amended to read as follows:

Sec. 1152.053. FEE INCREASE. (a) The fee for the registration of a person under this chapter and the fee for the renewal of a registration under this chapter is increased by \$200.

(b) Of each fee increase collected, \$50 shall be deposited in the foundation school fund and \$150 shall be deposited in the general revenue fund.

SECTION \_\_B.15. Section 191.142(b), Tax Code, is amended to read as follows:

(b) The tax rate is \$200 per year to be paid in advance.

SECTION \_\_B.16. Section 41, The Securities Act (Article 581-41, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 41. INCREASE IN FEES. (a) Each of the following fees imposed by or under another section of this Act is increased by \$200:

(1) fee for filing any original application of a dealer or investment adviser or for submitting a notice filing for a federal covered investment adviser;

(2) fee for filing any renewal application of a dealer or investment adviser or for submitting a renewal notice filing for a federal covered investment adviser;

(3) fee for filing any original application for agent,

officer, or investment adviser representative or for submitting a notice filing for an investment adviser representative of a federal covered investment adviser; and

(4) fee for filing any renewal application for agent, officer, or investment adviser representative or for submitting a renewal notice filing for an investment adviser representative of a federal covered investment adviser.

(b) Of each fee increase collected, \$50 shall be deposited to the credit of the foundation school fund and \$150 shall be deposited to the credit of the general revenue fund. This subsection applies to the disposition of each fee increase regardless of any other provision of law providing for a different disposition of funds.

SECTION \_\_B.17. This part applies only to a fee imposed on or after the effective date of this part. A fee imposed before that date is governed by the law in effect on the date the fee is imposed, and that law is continued in effect for that purpose.

SECTION \_\_B.18. This part takes effect September 1, 2007.

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