

Amend CSHB 3 by adding the following appropriately numbered section to the bill and renumbering existing sections accordingly:

SECTION \_\_\_\_\_. (a) Section 313.007, Tax Code, is amended to read as follows:

Sec. 313.007. EXPIRATION. Subchapters B, C, and D expire December 31, 2011 [~~2007~~].

(b) Section 313.024(a), Tax Code, is amended to read as follows:

(a) This subchapter and Subchapters C and D apply only to property owned by an entity [~~a corporation or limited liability company~~] to which Chapter 171 [~~Section 171.001~~] applies.

(c) Section 313.024(b), Tax Code, is amended to read as follows:

(b) To be eligible for a limitation on appraised value under this subchapter, the entity [~~corporation or limited liability company~~] must use the property in connection with:

- (1) manufacturing;
- (2) research and development;
- (3) a clean coal project, as defined by Section 5.001, Water Code;
- (4) a gasification project for a coal and biomass mixture; or
- (5) renewable energy electric generation.

(d) Section 313.025(b), Tax Code, is amended to read as follows:

(b) The governing body of a school district is not required to consider an application for a limitation on appraised value that is filed with the governing body under Subsection (a). If the governing body of the school district does elect to consider an application, the governing body shall request that the Texas Education Agency [~~engage a third person to~~] conduct an economic impact evaluation of the application on behalf of the school district, and that agency shall conduct the evaluation as soon as practicable. The governing body shall provide to the Texas Education Agency any information requested by that agency. The

Texas Education Agency may develop a methodology to allow comparisons of economic impact for different schedules of addition of qualified investment or qualified property as part of the economic impact evaluation. The economic impact evaluation of the Texas Education Agency is binding on the governing body of the school district and the applicant. The governing body shall provide a copy of the evaluation to the applicant on request. The Texas Education Agency may charge and collect a fee sufficient to cover the costs of providing the economic impact evaluation. The governing body of a school district shall ~~and~~ approve or disapprove an application before the 121st day after the date the application is filed, unless the Texas Education Agency's economic impact evaluation has not been received or an extension is agreed to by the governing body and the applicant.

(e) Section 313.051, Tax Code, is amended to read as follows:

Sec. 313.051. APPLICABILITY. (a) This subchapter applies only to a school district that has territory in:

(1) a strategic investment area, as defined by Section 171.721; ~~[Tax Code]~~ or

(2) ~~[in]~~ a county:

(A) ~~[(1)]~~ that has a population of less than 50,000;

(B) ~~[(2)]~~ that is not partially or wholly located in a metropolitan statistical area; and

(C) ~~[(3)]~~ in which, from 1990 to 2000, according to the federal decennial census, the population:

(i) ~~[(A)]~~ remained the same;

(ii) ~~[(B)]~~ decreased; or

(iii) ~~[(C)]~~ increased, but at a rate of not more than three percent per annum.

(a-1) Notwithstanding Subsection (a), if on January 1, 2002, this subchapter applied to a school district in whose territory is located a federal nuclear facility, this subchapter continues to apply to the school district regardless of whether the school district ceased or ceases to be described by Subsection (a) after that date.

(b) The governing body of a school district to which this subchapter applies may enter into an agreement in the same manner as a school district to which Subchapter B applies may do so under Subchapter B, subject to Sections 313.052-313.054. Except as otherwise provided by this subchapter, the provisions of Subchapter B apply to a school district to which this subchapter applies. For purposes of this subchapter, a property owner is required to create only at least 10 new jobs on the owner's qualified property. At least 80 percent of all the new jobs created must be qualifying jobs as defined by Section 313.021(3), except that, for a school district described by Subsection (a)(2), each qualifying job must pay at least 110 percent of the average weekly wage for manufacturing jobs in the region designated for the regional planning commission, council of governments, or similar regional planning agency created under Chapter 391, Local Government Code, in which the district is located.

(f) Section 313.051(b), Tax Code, as amended by this section, applies only to a limitation on the appraised value for school district maintenance and operations ad valorem tax purposes for which the owner files an application on or after the effective date of this Act. A limitation on the appraised value for school district maintenance and operations ad valorem tax purposes for which the owner files an application before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.