

By: Swinford

H.B. No. 2675

Substitute the following for H.B. No. 2675:

By: Edwards

C.S.H.B. No. 2675

A BILL TO BE ENTITLED

AN ACT

1
2 relating to eligibility for the limitation on appraised value of
3 property for school district maintenance and operations ad valorem
4 tax purposes under the Texas Economic Development Act.

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

6 SECTION 1. Sections 313.024(a) and (b), Tax Code, are
7 amended to read as follows:

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

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

- 14 (1) manufacturing;
15 (2) research and development; or
16 (3) renewable energy electric generation.

17 SECTION 2. Section 313.051, Tax Code, is amended by
18 amending Subsections (a) and (b) and adding Subsection (a-1) to
19 read as follows:

20 (a) This subchapter applies only to a school district that
21 has territory in:

22 (1) a strategic investment area, as defined by Section
23 171.721; [~~7 Tax Code~~] or

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

1 (A) [~~(1)~~] that has a population of less than
2 50,000;

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

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

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

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

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

11 (a-1) Notwithstanding Subsection (a), if on January 1,
12 2002, this subchapter applied to a school district in whose
13 territory is located a federal nuclear facility, this subchapter
14 continues to apply to the school district regardless of whether the
15 school district ceased or ceases to be described by Subsection (a)
16 after that date.

17 (b) The governing body of a school district to which this
18 subchapter applies may enter into an agreement in the same manner as
19 a school district to which Subchapter B applies may do so under
20 Subchapter B, subject to Sections 313.052-313.054. Except as
21 otherwise provided by this subchapter, the provisions of Subchapter
22 B apply to a school district to which this subchapter applies. For
23 purposes of this subchapter, a property owner is required to create
24 only at least 10 new jobs on the owner's qualified property. At
25 least 80 percent of all the new jobs created must be qualifying jobs
26 as defined by Section 313.021(3), except that, for a school
27 district described by Subsection (a)(2) of this section, each

1 qualifying job must pay at least 110 percent of the average weekly
2 wage for manufacturing jobs in the region designated for the
3 regional planning commission, council of governments, or similar
4 regional planning agency created under Chapter 391, Local
5 Government Code, in which the district is located.

6 SECTION 3. Section 313.051(b), Tax Code, as amended by this
7 Act, applies only to a limitation on the appraised value for school
8 district maintenance and operations ad valorem tax purposes for
9 which the owner files an application on or after the effective date
10 of this Act. A limitation on the appraised value for school
11 district maintenance and operations ad valorem tax purposes for
12 which the owner files an application before the effective date of
13 this Act is governed by the law as it existed immediately before the
14 effective date of this Act, and that law is continued in effect for
15 that purpose.

16 SECTION 4. This Act takes effect September 1, 2005.