

Amend CSHB 9 on page 8, between lines 26 and 27, by inserting the following:

Sec. 169.0095. TAX REFUND FOR CERTAIN RESTAURANTS AND BARS.

(a) A taxpayer who is in control of a restaurant or bar in which smoking is not allowed under Section 169.002 or 169.005 is entitled to a refund of 50 percent of all state taxes imposed with respect to the operation of the restaurant or bar and remitted by the taxpayer during the period the restaurant or bar remains a nonsmoking place, including:

(1) state sales taxes imposed under Chapter 151, Tax Code;

(2) franchise taxes imposed under Chapter 171, Tax Code; and

(3) mixed beverage taxes imposed under Chapter 183, Tax Code.

(b) The comptroller shall adopt rules to implement this section.