

Amend CSHB 3928 as follows:

(1) On page 10, line 11, strike "\$600,000" and substitute "\$
".

(2) On page 12, line 24, strike "and" and substitute "[~~and~~]".

(3) On page 12, line 25, strike "(vi) to" and substitute the following:

(vi) to the extent included in Subsection (c)(1)(A) but not subtracted as a cost of goods sold, depreciation used in the determination of gain or loss on the disposition of real property from which 80 percent or more of the gross income from the property is rental income; and

(vii) to

(4) On page 14, line 8, strike "and" and substitute "[~~and~~]".

(5) On page 14, line 9, strike "(v) to" and substitute the following:

(v) to the extent included in Subsection (c)(2)(A) but not subtracted as a cost of goods sold, depreciation used in the determination of gain or loss on the disposition of real property from which 80 percent or more of the gross income from the property is rental income; and

(vi) to

(6) Add the following appropriately numbered SECTION to read as follows and renumber subsequent SECTIONS accordingly:

SECTION _____. Section 171.103(b), Tax Code, as effective January 1, 2008, is amended to read as follows:

(b) A combined group shall include in its gross receipts computed under Subsection (a) the gross receipts of each taxable entity that is a member of the combined group [~~and that has a nexus with this state for the purpose of taxation~~].

(7) On page 25, strike lines 5-19 and substitute the following:

(b) In apportioning margin, receipts derived from transactions between individual members of a combined group that are excluded under Section 171.1014(c)(3) may not be included in the receipts of the taxable entity from its business done in this state as determined under Section 171.103[~~, except that receipts derived from the sale of tangible personal property between~~

~~individual members of a combined group where one member party to the transaction does not have nexus in this state shall be included in the receipts of the taxable entity from its business done in this state as determined under Section 171.103 to the extent that the member of the combined group that does not have nexus in this state resells the tangible personal property without modification to a purchaser in this state].~~