

By: Miller

H.B. No. 316

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the ad valorem taxation of certain property that is part  
3 of certain public transportation facilities or part of certain rail  
4 facilities.

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

6 SECTION 1. Section 25.07(b), Tax Code, is amended to read as  
7 follows:

8 (b) Except as provided by Sections 11.11(b) [~~Subsections~~  
9 ~~(b)~~] and (c) [~~of Section 11.11 of this code~~], a leasehold or other  
10 possessory interest in exempt property may not be listed if:

11 (1) the property is permanent university fund land;

12 (2) the property is county public school fund  
13 agricultural land;

14 (3) the property is a part of a public transportation  
15 facility owned by a municipality or county [~~an incorporated city or~~  
16 ~~town~~] and:

17 (A) is an airport passenger terminal building or  
18 a building used primarily for maintenance of aircraft or other  
19 aircraft services, for aircraft equipment storage, or for air  
20 cargo;

21 (B) is an airport fueling system facility;

22 (C) is in a foreign-trade zone:

23 (i) that has been granted to a joint airport  
24 board under Chapter 129, Acts of the 65th Legislature, Regular

1 Session, 1977 (Article 1446.8, Vernon's Texas Civil Statutes);

2 (ii) the area of which in the portion of the  
3 zone located in the airport operated by the joint airport board does  
4 not exceed 2,500 acres; and

5 (iii) that is established and operating  
6 pursuant to federal law; or

7 (D)(i) is in a foreign trade zone established  
8 pursuant to federal law after June 1, 1991, which operates pursuant  
9 to federal law;

10 (ii) is contiguous to or has access via a  
11 taxiway to an airport located in two counties, one of which has a  
12 population of 500,000 or more according to the federal decennial  
13 census most recently preceding the establishment of the foreign  
14 trade zone; and

15 (iii) is owned, directly or through a  
16 corporation organized under the Development Corporation Act of 1979  
17 (Article 5190.6, Vernon's Texas Civil Statutes), by the same  
18 municipality [~~incorporated city or town~~] which owns the airport;

19 (4) the interest is in a part of:

20 (A) a park, market, fairground, or similar public  
21 facility that is owned by a municipality [~~an incorporated city or~~  
22 ~~town~~]; or

23 (B) a convention center, visitor center, sports  
24 facility with permanent seating, concert hall, arena, or stadium  
25 that is owned by a municipality [~~an incorporated city or town~~] as  
26 such leasehold or possessory interest serves a governmental,  
27 municipal, or public purpose or function when the facility is open

1 to the public, regardless of whether a fee is charged for admission;

2 (5) the interest involves only the right to use the  
3 property for grazing or other agricultural purposes;

4 (6) the property is owned by the Texas National  
5 Research Laboratory Commission or by a corporation formed by the  
6 Texas National Research Laboratory Commission under Section  
7 465.008(g), Government Code, and is used or is useful in connection  
8 with an eligible undertaking as defined by Section 465.021,  
9 Government Code; ~~or~~

10 (7) the property is:

11 (A) owned by a municipality, a public port, or a  
12 navigation district created or operating under Section 59, Article  
13 XVI, Texas Constitution, or under a statute enacted under Section  
14 59, Article XVI, Texas Constitution; and

15 (B) used as an aid or facility incidental to or  
16 useful in the operation or development of a port or waterway or in  
17 aid of navigation-related commerce; or

18 (8) the property is part of a rail facility owned by a  
19 rural rail transportation district created or operating under  
20 Chapter 623, Acts of the 67th Legislature, Regular Session, 1981  
21 (Article 6550c, Vernon's Texas Civil Statutes).

22 SECTION 2. This Act takes effect January 1, 2008.