

By: Hughes

H.B. No. 644

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the ad valorem taxation of certain property that is part
3 of a public transportation facility.

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

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

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

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

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

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

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

20 (B) is an airport fueling system facility;

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

22 (i) that has been granted to a joint airport
23 board under Chapter 129, Acts of the 65th Legislature, Regular
24 Session, 1977 (Article 1446.8, Vernon's Texas Civil Statutes);

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

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

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

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

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

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

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

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

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

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

9 (7) the property is:

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

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

17 SECTION 2. This Act applies only to the appraisal records
18 for a tax year that begins on or after January 1, 2008.

19 SECTION 3. This Act takes effect January 1, 2008.