

By: Burnam

H.B. No. 1000

A BILL TO BE ENTITLED

AN ACT

relating to exemptions from the sales tax for certain energy efficient products for a limited period.

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

SECTION 1. Subchapter H, Chapter 151, Tax Code, is amended by adding Section 151.333 to read as follows:

Sec. 151.333. ENERGY EFFICIENT PRODUCTS. (a) In this section, "energy efficient product" means a product that has been designated as an Energy Star qualified product under the Energy Star program jointly operated by the United States Environmental Protection Agency and the United States Department of Energy.

(b) This section applies only to the following energy efficient products:

(1) an air conditioner the sales price of which does not exceed \$6,000;

(2) a clothes washer;

(3) a ceiling fan;

(4) a dehumidifier;

(5) a dishwasher;

(6) an incandescent or fluorescent lightbulb;

(7) a programmable thermostat; and

(8) a refrigerator the sales price of which does not exceed \$2,000.

(c) The sale of an energy efficient product to which this

1 section applies is exempted from the taxes imposed by this chapter
2 if:

3 (1) the product is purchased for noncommercial home or
4 personal use; and

5 (2) the sale takes place during:

6 (A) the period described by Section
7 151.326(a)(2) for the sale of certain clothing and footwear;

8 (B) a period beginning at 12:01 a.m. on the
9 Saturday preceding the last Monday in May (Memorial Day) and ending
10 at 11:59 p.m. on the last Monday in May; or

11 (C) a period around July 4, as follows:

12 (i) if July 4 occurs on a Saturday, a period
13 beginning at 12:01 a.m. on the previous Friday and ending at 11:59
14 p.m. on the following Sunday;

15 (ii) if July 4 occurs on a Sunday, a period
16 beginning at 12:01 a.m. on the previous Saturday and ending at 11:59
17 p.m. on the following Monday;

18 (iii) if July 4 occurs on a Monday or
19 Tuesday, a period beginning at 12:01 a.m. on the previous Saturday
20 and ending at 11:59 p.m. on July 4; or

21 (iv) if July 4 occurs on a Wednesday,
22 Thursday, or Friday, a period beginning at 12:01 a.m. on July 4 and
23 ending at 11:59 p.m. on the following Sunday.

24 (d) A retailer is not required to obtain an exemption
25 certificate stating that an energy efficient product to which this
26 section applies is purchased for noncommercial home or personal use
27 unless more than two items of the product are purchased at the same

1 time.

2 SECTION 2. The change in law made by this Act does not
3 affect taxes imposed before the effective date of this Act, and the
4 law in effect before the effective date of this Act is continued in
5 effect for purposes of the liability for and collection of those
6 taxes.

7 SECTION 3. This Act takes effect July 1, 2007, if it
8 receives a vote of two-thirds of all the members elected to each
9 house, as provided by Section 39, Article III, Texas Constitution.
10 If this Act does not receive the vote necessary for effect on that
11 date, this Act takes effect October 1, 2007.