

1-1 By: Watson S.B. No. 1087
1-2 (In the Senate - Filed March 2, 2007; March 14, 2007, read
1-3 first time and referred to Committee on Finance; April 30, 2007,
1-4 reported favorably by the following vote: Yeas 11, Nays 0;
1-5 April 30, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the exemption from ad valorem taxation of property used
1-9 by a charitable organization operating certain radio stations.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (d), Section 11.18, Tax Code, is
1-12 amended to read as follows:

1-13 (d) A charitable organization must be organized exclusively
1-14 to perform religious, charitable, scientific, literary, or
1-15 educational purposes and, except as permitted by Subsections (h)
1-16 and (l), engage exclusively in performing one or more of the
1-17 following charitable functions:

1-18 (1) providing medical care without regard to the
1-19 beneficiaries' ability to pay, which in the case of a nonprofit
1-20 hospital or hospital system means providing charity care and
1-21 community benefits in accordance with Section 11.1801;

1-22 (2) providing support or relief to orphans,
1-23 delinquent, dependent, or handicapped children in need of
1-24 residential care, abused or battered spouses or children in need of
1-25 temporary shelter, the impoverished, or victims of natural disaster
1-26 without regard to the beneficiaries' ability to pay;

1-27 (3) providing support to elderly persons, including
1-28 the provision of recreational or social activities and facilities
1-29 designed to address the special needs of elderly persons, or to the
1-30 handicapped, without regard to the beneficiaries' ability to pay;

1-31 (4) preserving a historical landmark or site;

1-32 (5) promoting or operating a museum, zoo, library,
1-33 theater of the dramatic or performing arts, or symphony orchestra
1-34 or choir;

1-35 (6) promoting or providing humane treatment of
1-36 animals;

1-37 (7) acquiring, storing, transporting, selling, or
1-38 distributing water for public use;

1-39 (8) answering fire alarms and extinguishing fires with
1-40 no compensation or only nominal compensation to the members of the
1-41 organization;

1-42 (9) promoting the athletic development of boys or
1-43 girls under the age of 18 years;

1-44 (10) preserving or conserving wildlife;

1-45 (11) promoting educational development through loans
1-46 or scholarships to students;

1-47 (12) providing halfway house services pursuant to a
1-48 certification as a halfway house by the pardons and paroles
1-49 division of the Texas Department of Criminal Justice;

1-50 (13) providing permanent housing and related social,
1-51 health care, and educational facilities for persons who are 62
1-52 years of age or older without regard to the residents' ability to
1-53 pay;

1-54 (14) promoting or operating an art gallery, museum, or
1-55 collection, in a permanent location or on tour, that is open to the
1-56 public;

1-57 (15) providing for the organized solicitation and
1-58 collection for distributions through gifts, grants, and agreements
1-59 to nonprofit charitable, education, religious, and youth
1-60 organizations that provide direct human, health, and welfare
1-61 services;

1-62 (16) performing biomedical or scientific research or
1-63 biomedical or scientific education for the benefit of the public;

1-64 (17) operating a television station that produces or

2-1 broadcasts educational, cultural, or other public interest
2-2 programming and that receives grants from the Corporation for
2-3 Public Broadcasting under 47 U.S.C. Section 396, as amended;

2-4 (18) providing housing for low-income and
2-5 moderate-income families, for unmarried individuals 62 years of age
2-6 or older, for handicapped individuals, and for families displaced
2-7 by urban renewal, through the use of trust assets that are
2-8 irrevocably and, pursuant to a contract entered into before
2-9 December 31, 1972, contractually dedicated on the sale or
2-10 disposition of the housing to a charitable organization that
2-11 performs charitable functions described by Subdivision (9);

2-12 (19) providing housing and related services to persons
2-13 who are 62 years of age or older in a retirement community, if the
2-14 retirement community provides independent living services,
2-15 assisted living services, and nursing services to its residents on
2-16 a single campus:

2-17 (A) without regard to the residents' ability to
2-18 pay; or

2-19 (B) in which at least four percent of the
2-20 retirement community's combined net resident revenue is provided in
2-21 charitable care to its residents; [~~or~~]

2-22 (20) providing housing on a cooperative basis to
2-23 students of an institution of higher education if:

2-24 (A) the organization is exempt from federal
2-25 income taxation under Section 501(a), Internal Revenue Code of
2-26 1986, as amended, by being listed as an exempt entity under Section
2-27 501(c)(3) of that code;

2-28 (B) membership in the organization is open to all
2-29 students enrolled in the institution and is not limited to those
2-30 chosen by current members of the organization;

2-31 (C) the organization is governed by its members;
2-32 and

2-33 (D) the members of the organization share the
2-34 responsibility for managing the housing; or

2-35 (21) operating a radio station that broadcasts
2-36 educational, cultural, or other public interest programming,
2-37 including classical music, and that in the preceding five years has
2-38 received or been selected to receive one or more grants or similar
2-39 funding from the Corporation for Public Broadcasting under 47
2-40 U.S.C. Section 396, as amended.

2-41 SECTION 2. This Act applies only to an ad valorem tax year
2-42 that begins on or after the effective date of this Act.

2-43 SECTION 3. This Act takes effect January 1, 2008.

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