

Amend **CSHB 3676** (house committee report) as follows:

(1) Add the following SECTIONS to the bill, appropriately numbered, and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 313.008, Tax Code, as added by Chapter 1270 (**HB 3430**), Acts of the 80th Legislature, Regular Session, 2007, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Before the beginning of each regular session of the legislature, the comptroller shall submit to the lieutenant governor, the speaker of the house of representatives, and each member of the legislature a report assessing the progress of each agreement entered into under this chapter. The report must be based on data that is certified to the comptroller by each recipient of a limitation on appraised value under this chapter and is verified by the comptroller and must state for each agreement:

(1) the number of qualifying jobs each recipient of a limitation on appraised value committed to create;

(2) the number of qualifying jobs each recipient created;

(3) the median wage of the new jobs each recipient created;

(4) the amount of the qualified investment each recipient committed to expend or allocate per project;

(5) the amount of the qualified investment each recipient expended or allocated per project;

(6) the market value of the qualified property of each recipient as determined by the applicable chief appraiser;

(7) the limitation on appraised value for the qualified property of each recipient;

(8) the dollar amount of the taxes that would have been imposed on the market value of the qualified property if the property had not received a limitation on appraised value;

(9) the dollar amount of the taxes imposed on the qualified property;

(10) the number of new jobs created by each recipient in each sector of the North American Industry Classification

System; and

(11) of the number of new jobs each recipient created, the number of jobs created that provide health benefits for employees.

(d) Each school district that is a party to an agreement entered into under this chapter shall assist the comptroller in collecting any data required to complete the report.

SECTION _____. The heading to Section 313.105, Tax Code, is amended to read as follows:

Sec. 313.105. REMEDY FOR ERRONEOUS CREDIT OR LIMITATION.

SECTION _____. Section 313.105(a), Tax Code, is amended to read as follows:

(a) If the comptroller or [~~and~~] the governing body of a school district determines [~~determine~~] that a person who received a tax credit under this subchapter or a limitation under Subchapter B or C for any reason was not entitled to the credit or limitation received or was entitled to a lesser amount of tax benefit [~~credit~~] than the amount of the tax benefit [~~credit~~] received, an additional tax is imposed on the qualified property equal to the [~~full credit or the~~] amount of the tax benefit received [~~credit~~] to which the person was not entitled, [~~as applicable,~~] plus interest at an annual rate of seven percent calculated from the date the credit or limitation was issued.

(2) On page 7, line 1, strike "Subsection (a)" and substitute "Subsections (a) and (f-1)".

(3) On page 8, between lines 17 and 18, insert the following:

(f-1) Notwithstanding any other provision of this chapter to the contrary, including Section 313.003(2) or 313.004(3)(A) or (B)(iii), the governing body of a school district may waive the new jobs creation requirement in Section 313.021(2)(A)(iv)(b) or 313.051(b) and approve an application if the governing body makes a finding that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property owner that is described in the application and the comptroller verifies the finding.

(4) On page 13, line 3, strike "Subsection (f)" and

substitute "Subsections (e) and (f)".

(5) On page 13, between lines 4 and 5, insert the following:

(e) The agreement must describe with specificity the qualified [~~investment that the person will make on or in connection with the person's qualified~~] property that is subject to the limitation on appraised value under this subchapter. Other property of the person that is not specifically described in the agreement is not subject to the limitation unless the governing body of the school district, by official action and with the approval of the comptroller, provides that the other property is subject to the limitation.