

By: Burnam

H.B. No. 803

A BILL TO BE ENTITLED

AN ACT

relating to the period during which certain energy-efficient products are exempt from the sales tax.

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

SECTION 1. Sections 151.333(a) and (c), Tax Code, are amended to read as follows:

(a) In this section:

(1) [r] "Energy-efficient [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.

(2) "Lone Star Card" means the card issued by the Health and Human Services Commission to deliver benefits for the food stamp program and the Temporary Assistance for Needy Families (TANF) program.

(c) The sale of an energy-efficient product to which this section applies is exempted from the taxes imposed by this chapter if:

(1) the sale takes place during a period beginning at 12:01 a.m. on the Saturday preceding the last Monday in May (Memorial Day) and ending at 11:59 p.m. on the last Monday in May;  
or

(2) the person that purchases the energy-efficient

1 product is receiving services under the Temporary Assistance for  
2 Needy Families or food stamp program and presents the person's Lone  
3 Star Card to the retailer as proof that the person is receiving  
4 those services.

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

10       SECTION 3. This Act takes effect July 1, 2009, if it  
11 receives a vote of two-thirds of all the members elected to each  
12 house, as provided by Section 39, Article III, Texas Constitution.  
13 If this Act does not receive the vote necessary for effect on that  
14 date, this Act takes effect October 1, 2009.