

By: Harper-Brown

H.B. No. 1261

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from the motor vehicle sales tax for a limited period.

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

SECTION 1. Subchapter E, Chapter 152, Tax Code, is amended by adding Section 152.096 to read as follows:

Sec. 152.096. SALE OF CERTAIN MOTOR VEHICLES EXEMPT FOR LIMITED PERIOD. The taxes imposed by this chapter do not apply to the sale of a motor vehicle if the sale:

(1) is made by a dealer that holds a dealer's general distinguishing number under Chapter 503, Transportation Code; and

(2) takes place during a period beginning at 12:01 a.m. on the second Friday in June and ending at 12 midnight on the following Sunday.

SECTION 2. (a) Notwithstanding Section 152.096, Tax Code, as added by this Act, if this Act does not receive the vote necessary for immediate effect, the exemption provided by that section from the taxes imposed by Chapter 152, Tax Code, applies to a sale that takes place during a period beginning at 12:01 a.m. on the second Friday in September, 2009, and ending at 12 midnight the following Sunday if the sale otherwise meets the requirements of that section.

(b) If this Act receives the vote necessary for immediate effect, this section has no effect.

1 (c) If this section takes effect, this section expires
2 October 1, 2009.

3 SECTION 3. The change in law made by this Act does not
4 affect tax liability accruing before the effective date of this
5 Act. That liability continues in effect as if this Act had not been
6 enacted, and the former law is continued in effect for the
7 collection of taxes due and for civil and criminal enforcement of
8 the liability for those taxes.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2009.