

1-1 By: Oliveira, et al. (Senate Sponsor - Williams) H.B. No. 2814  
1-2 (In the Senate - Received from the House April 16, 2009;  
1-3 April 16, 2009, read first time and referred to Committee on  
1-4 Finance; May 22, 2009, reported favorably by the following vote:  
1-5 Yeas 10, Nays 0; May 22, 2009, sent to printer.)

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

1-8 relating to the procedure for claiming an exemption from ad valorem  
1-9 taxation for a motor vehicle used for the production of income and  
1-10 for personal activities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 11.43(c), Tax Code, is amended to read as  
1-13 follows:

1-14 (c) An exemption provided by Section 11.13, 11.17, 11.18,  
1-15 11.182, 11.183, 11.19, 11.20, 11.21, 11.22, 11.23(h), (j), or  
1-16 (j-1), 11.254, 11.29, 11.30, or 11.31, once allowed, need not be  
1-17 claimed in subsequent years, and except as otherwise provided by  
1-18 Subsection (e), the exemption applies to the property until it  
1-19 changes ownership or the person's qualification for the exemption  
1-20 changes. However, the chief appraiser may require a person allowed  
1-21 one of the exemptions in a prior year to file a new application to  
1-22 confirm the person's current qualification for the exemption by  
1-23 delivering a written notice that a new application is required,  
1-24 accompanied by an appropriate application form, to the person  
1-25 previously allowed the exemption.

1-26 SECTION 2. Section 11.253, Tax Code, as added by Chapter 842  
1-27 (H.B. 1022), Acts of the 80th Legislature, Regular Session, 2007,  
1-28 is renumbered as Section 11.254, Tax Code, to read as follows:

1-29 Sec. 11.254 [~~11.253~~]. MOTOR VEHICLE USED FOR PRODUCTION OF  
1-30 INCOME AND FOR PERSONAL ACTIVITIES. (a) Except as provided by  
1-31 Subsection (c), an individual is entitled to an exemption from  
1-32 taxation of one motor vehicle owned by the individual that is used  
1-33 in the course of the individual's occupation or profession and is  
1-34 also used for personal activities of the owner that do not involve  
1-35 the production of income.

1-36 (b) In this section, "motor vehicle" means a passenger car  
1-37 or light truck as those terms are defined by Section 502.001,  
1-38 Transportation Code.

1-39 (c) A person who has been granted or applied for an  
1-40 exemption under this section may not apply for another exemption  
1-41 under this section until after the application or exemption has  
1-42 been denied.

1-43 (d) This section does not apply to a motor vehicle used to  
1-44 transport passengers for hire.

1-45 SECTION 3. Section 22.01(k), Tax Code, is amended to read as  
1-46 follows:

1-47 (k) Notwithstanding Subsections (a) and (b), an individual  
1-48 who has been granted or has applied for an exemption from taxation  
1-49 under Section 11.254 [~~11.253~~] for a motor vehicle the individual  
1-50 owns is not required to render the motor vehicle for taxation.

1-51 SECTION 4. This Act applies only to ad valorem taxes imposed  
1-52 for a tax year beginning on or after the effective date of this Act.

1-53 SECTION 5. This Act takes effect January 1, 2010.

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