

By: Paxton

H.B. No. 3242

A BILL TO BE ENTITLED

AN ACT

relating to the sales tax on computer program services.

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

SECTION 1. Section 151.0101(a), Tax Code, is amended to read as follows:

(a) "Taxable services" means:

(1) amusement services;

(2) cable television services;

(3) personal services;

(4) motor vehicle parking and storage services;

(5) the repair, remodeling, maintenance, and restoration of tangible personal property, except:

(A) aircraft;

(B) a ship, boat, or other vessel, other than:

(i) a taxable boat or motor as defined by Section 160.001;

(ii) a sports fishing boat; or

(iii) any other vessel used for pleasure;

(C) the repair, maintenance, and restoration of a motor vehicle; and

(D) the repair, maintenance, creation, and restoration of a computer program, including its development and modification [~~not sold by the person performing the repair, maintenance, creation, or restoration service~~];

- 1 (6) telecommunications services;
 - 2 (7) credit reporting services;
 - 3 (8) debt collection services;
 - 4 (9) insurance services;
 - 5 (10) information services;
 - 6 (11) real property services;
 - 7 (12) data processing services;
 - 8 (13) real property repair and remodeling;
 - 9 (14) security services;
 - 10 (15) telephone answering services;
 - 11 (16) Internet access service; and
 - 12 (17) a sale by a transmission and distribution
- 13 utility, as defined in Section 31.002, Utilities Code, of
- 14 transmission or delivery of service directly to an electricity
- 15 end-use customer whose consumption of electricity is subject to
- 16 taxation under this chapter.

17 SECTION 2. The change in law made by this Act does not

18 affect taxes imposed before the effective date of this Act, and the

19 law in effect before the effective date of this Act is continued in

20 effect for purposes of the liability for and collection of those

21 taxes.

22 SECTION 3. This Act takes effect July 1, 2009, if it

23 receives a vote of two-thirds of all the members elected to each

24 house, as provided by Section 39, Article III, Texas Constitution.

25 If this Act does not receive the vote necessary for effect on that

26 date, this Act takes effect October 1, 2009.