

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 81st Legislature, Regular Session, 2009, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 469 (the establishment of
6 incentives by this state for the implementation of projects to
7 capture and sequester carbon dioxide that would otherwise be
8 emitted into the atmosphere) to consider and take action on the
9 following matters:

10 (1) House Rule 13, Sections 9(a)(1) and (3), are suspended
11 to permit the committee to change, alter, or amend text that is not
12 in disagreement and to add text on any matter that is not in
13 disagreement in SECTION 1 of the bill, in the heading to added
14 Subchapter H, Chapter 490, Government Code, to read as follows:

15 SUBCHAPTER H. FRANCHISE TAX CREDIT FOR CLEAN ENERGY PROJECT

16 Explanation: The change is necessary to clarify that the
17 subchapter authorizes a franchise tax credit for a clean energy
18 project.

19 (2) House Rule 13, Sections 9(a)(3) and (4), are suspended
20 to permit the committee to add text on a matter that is not in
21 disagreement and to add text on a matter that is not included in
22 either the house or senate version of the bill in SECTION 1 of the
23 bill, in added Section 490.352(a), Government Code, to read as
24 follows:

1 A clean energy project is eligible for a franchise tax credit only
2 if the project is implemented in connection with the construction
3 of a new facility.

4 Explanation: This addition is necessary to limit eligibility
5 for the franchise tax credit authorized by the bill to clean energy
6 projects implemented in connection with the construction of a new
7 facility.

8 (3) House Rule 13, Sections 9(a)(1), (2), and (3), are
9 suspended to permit the committee to change, alter, or amend text
10 that is not in disagreement, to omit text that is not in
11 disagreement, and to add text on any matter that is not in
12 disagreement in SECTION 1 of the bill, in added Section 490.352(d),
13 Government Code, to read as follows:

14 (d) The amount of the franchise tax credit for each report
15 year is calculated by determining the amount of franchise tax that
16 is due based on the taxable margin generated by a clean energy
17 project from the generation and sale of power and the sale of any
18 products that are produced by the electric generation facility.
19 The amount of the franchise tax credit claimed under this section
20 for a report year may not exceed the amount of franchise tax
21 attributable to the clean energy project for that report year.

22 Explanation: The change is necessary to specify the method
23 to be used in calculating the amount of the franchise tax credit
24 issued to an entity implementing a clean energy project in this
25 state.

H.R. No. 2995

Speaker of the House

I certify that H.R. No. 2995 was adopted by the House on May 31, 2009, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

King of Parker