

By: Van de Putte

S.B. No. 599

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from the sales tax for certain renewable energy devices and manufacturing equipment.

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

SECTION 1. Section 151.318, Tax Code, is amended by adding Subsection (u) to read as follows:

(u) In addition to the other items exempted under this section, all equipment necessary for the production or manufacture of photovoltaic renewable energy devices, including equipment described by Subsections (c) and (e), is exempted from the taxes imposed by this chapter. In this subsection, "photovoltaic renewable energy device" means a device and related components that naturally generate or regenerate over a short period electric energy that is derived directly or indirectly from the sun.

SECTION 2. Subchapter H, Chapter 151, Tax Code, is amended by adding Section 151.3332 to read as follows:

Sec. 151.3332. PHOTOVOLTAIC RENEWABLE ENERGY DEVICES. (a)

In this section:

(1) "Photovoltaic renewable energy device" has the meaning assigned by Section 151.318(u).

(2) "Retail customer" has the meaning assigned by Section 31.002, Utilities Code.

(b) The sale, use, installation, construction, assembly, maintenance, or other consumption of a photovoltaic renewable

1 energy device that is connected or placed on a retail customer's
2 side of the meter is exempted from the taxes imposed by this
3 chapter.

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

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