

By: Harris

S.B. No. 1778

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility of property used in connection with a  
3 data center for economic benefits authorized by the Texas Economic  
4 Development Act.

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

6 SECTION 1. Section 313.024(b), Tax Code, is amended to read  
7 as follows:

8 (b) To be eligible for a limitation on appraised value under  
9 this subchapter, the entity must use the property in connection  
10 with:

- 11 (1) manufacturing;
- 12 (2) research and development;
- 13 (3) a clean coal project, as defined by Section 5.001,  
14 Water Code;
- 15 (4) an advanced clean energy project, as defined by  
16 Section 382.003, Health and Safety Code;
- 17 (5) renewable energy electric generation;
- 18 (6) electric power generation using integrated  
19 gasification combined cycle technology; ~~[or]~~
- 20 (7) nuclear electric power generation; or
- 21 (8) a data center.

22 SECTION 2. Section 313.024(e), Tax Code, is amended by  
23 adding Subdivision (5) to read as follows:

- 24 (5) "Data center" means an establishment primarily

1 engaged in providing electronic data processing and storage  
2 services described in categories 518210 and 541513 of the 2007  
3 North American Industry Classification System.

4           SECTION 3. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2009.