

1-1 By: Harris S.B. No. 1778
1-2 (In the Senate - Filed March 11, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Economic Development;
1-4 April 22, 2009, reported favorably by the following vote: Yeas 3,
1-5 Nays 0; April 22, 2009, sent to printer.)

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

1-8 relating to the eligibility of property used in connection with a
1-9 data center for economic benefits authorized by the Texas Economic
1-10 Development Act.

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

1-12 SECTION 1. Subsection (b), Section 313.024, Tax Code, is
1-13 amended to read as follows:

1-14 (b) To be eligible for a limitation on appraised value under
1-15 this subchapter, the entity must use the property in connection
1-16 with:

- 1-17 (1) manufacturing;
- 1-18 (2) research and development;
- 1-19 (3) a clean coal project, as defined by Section 5.001,
1-20 Water Code;
- 1-21 (4) an advanced clean energy project, as defined by
1-22 Section 382.003, Health and Safety Code;
- 1-23 (5) renewable energy electric generation;
- 1-24 (6) electric power generation using integrated
1-25 gasification combined cycle technology; ~~or~~
- 1-26 (7) nuclear electric power generation; or
- 1-27 (8) a data center.

1-28 SECTION 2. Subsection (e), Section 313.024, Tax Code, is
1-29 amended by adding Subdivision (5) to read as follows:

1-30 (5) "Data center" means an establishment primarily
1-31 engaged in providing electronic data processing and storage
1-32 services described in categories 518210 and 541513 of the 2007
1-33 North American Industry Classification System.

1-34 SECTION 3. This Act takes effect immediately if it receives
1-35 a vote of two-thirds of all the members elected to each house, as
1-36 provided by Section 39, Article III, Texas Constitution. If this
1-37 Act does not receive the vote necessary for immediate effect, this
1-38 Act takes effect September 1, 2009.

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