

Amend Amendment No. 34 by Villarreal to CSSB 655 by adding the following appropriately numbered SECTION to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) Section 201.057, Tax Code, is amended by adding Subsection (e-2) to read as follows:

(e-2) Notwithstanding any other provision of this section, the commission may not certify that gas is high-cost gas for purposes of this section during any state fiscal year in which the total amount appropriated for the Foundation School Program per Average Daily Attendance is less than the total amount appropriated for that program per Average Daily Attendance for the state fiscal year ending August 31, 2011.

(b) Section 201.057(e-2), Tax Code, as added by this section, applies to an application for certification that a well produces or will produce high-cost gas that is pending on or after September 1, 2011.