By:  Davis of Dallas                                H.B. No. 2434

A BILL TO BE ENTITLED

1                               AN ACT

2  relating  to  the  repeal  of  certain  ad  valorem  and  state  tax

3  exemptions.

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

5        SECTION 1.  (a)    Except  as  otherwise  provided  by  this

6  section, the following provisions of the Tax Code are repealed:

7               (1)   Subchapter B, Chapter 11;

8               (2)   Subchapter C, Chapter 11;

9               (3)   Subchapter H, Chapter 151;

10              (4)   Subchapter E, Chapter 152;

11              (5)   Subchapter C, Chapter 156;

12              (6)   Section 158.101;

13              (7)   Section 160.024;

14              (8)   Section 160.0245;

15              (9)   Section 162.104;

16              (10)  Section 162.204;

17              (11)  Section 162.3021;

18              (12)  Subchapter B, Chapter 171;

19              (13)  Section 202.0545; and

20              (14)  Section 202.056.

21         (b)   The repeal of a tax exemption by Subsection (a) of this

22  section is not effective if the constitution of this state directly

23  provides  the  exemption.    If  the  constitution  of  this  state

24  authorizes but does not directly provide the exemption, the repeal

1  of the exemption by this Act is effective.

2  (c)  The repeal of a tax exemption by Subsection (a) of this

3  section is not effective if this state is unable to tax the item or

4  service under the United States Constitution.

5  (d)  The change in law made by this section to Chapter 171,

6  Tax Code, applies only to a report originally due on or after the

7  effective date of this section.

8  (e)  This section does not affect taxes imposed before the

9  effective date of this section, and the law in effect before the

10  effective date of this section is continued in effect for purposes

11  of the liability for and collection of those taxes.

12  SECTION 2.  This Act takes effect July 1, 2011, if this Act

13  receives a vote of two-thirds of all the members elected to each

14  house, as provided by Section 39, Article III, Texas Constitution.

15  If this Act does not receive the vote necessary for effect on that

16  date, this Act takes effect October 1, 2011.