

By: Ogden

S.B. No. 1590

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Economic Development Act.

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

SECTION 1. Section 313.007, Tax Code, is amended to read as follows:

Sec. 313.007. EXPIRATION. Subchapters B and [~~7~~] C [~~7~~ and ~~D~~] expire December 31, 2014.

SECTION 2. Section 313.009(a), Tax Code, is amended to read as follows:

(a) Before the beginning of each regular session of the legislature, the comptroller shall submit to the lieutenant governor, the speaker of the house of representatives, and each member of the legislature a report assessing the progress of each agreement entered into under this chapter. The report must be based on data certified to the comptroller by each recipient of a limitation on appraised value under this chapter and state for each agreement:

(1) the number of qualifying jobs each recipient of a limitation on appraised value committed to create;

(2) the number of qualifying jobs each recipient created;

(3) the median wage of the new jobs each recipient created;

(4) the amount of the qualified investment each

1 recipient committed to expend or allocate per project;

2 (5) the amount of the qualified investment each
3 recipient expended or allocated per project;

4 (6) the market value of the qualified property of each
5 recipient as determined by the applicable chief appraiser;

6 (7) the limitation on appraised value for the
7 qualified property of each recipient;

8 (8) the dollar amount of the taxes that would have been
9 imposed on the market value of the qualified property if the
10 property had not received a limitation on appraised value;

11 (9) the dollar amount of the taxes imposed on the
12 qualified property;

13 (10) the number of new jobs created by each recipient
14 in each sector of the North American Industry Classification
15 System; ~~and~~

16 (11) of the number of new jobs each recipient created,
17 the number of jobs created that provide health benefits for
18 employees;

19 (12) an estimate of the tax benefit to be provided to
20 each recipient under the agreement; and

21 (13) the estimated total amount of any payments to be
22 made by each recipient to the applicable school district under the
23 agreement, including any payments to be made by the recipient to a
24 foundation or other entity in consideration of the approval of the
25 agreement by the district.

26 SECTION 3. Section 313.021(3), Tax Code, is amended to read
27 as follows:

1 (3) "Qualifying job" means a permanent full-time job
2 that:

3 (A) requires at least 1,600 hours of work a year;

4 (B) is not transferred from one area in this
5 state to another area in this state;

6 (C) is not created to replace a previous
7 employee;

8 (D) is covered by a group health benefit plan for
9 which the business offers to pay at least 80 percent of the premiums
10 or other charges assessed for employee-only coverage under the
11 plan, regardless of whether an employee may voluntarily waive the
12 coverage; ~~and~~

13 (E) pays at least 110 percent of:

14 (i) the county average weekly wage for
15 manufacturing jobs in the county where the job is located; or

16 (ii) the county average weekly wage for all
17 jobs in the county where the job is located, if the property owner
18 creates more than 1,000 jobs in that county;

19 (F) is based at the qualified property;

20 (G) is in direct support of an activity described
21 by Section 313.024(b); and

22 (H) is subject to a significant degree of control
23 by the applicant with regard to:

24 (i) the creation of the job;

25 (ii) the job description; and

26 (iii) the job characteristics or the
27 performance of the job by means of a business, contractual, or

1 vendor relationship.

2 SECTION 4. Sections 313.024(a) and (b), Tax Code, are
3 amended to read as follows:

4 (a) This subchapter and Subchapter [~~Subchapters~~] C [~~and D~~]
5 apply only to property owned by an entity to which Chapter 171
6 applies.

7 (b) To be eligible for a limitation on appraised value under
8 this subchapter, the entity must use the property for the purpose of
9 [~~in connection with~~]:

- 10 (1) manufacturing;
- 11 (2) research and development;
- 12 (3) a clean coal project, as defined by Section 5.001,
13 Water Code;
- 14 (4) an advanced clean energy project, as defined by
15 Section 382.003, Health and Safety Code;
- 16 (5) renewable energy electric generation;
- 17 (6) electric power generation using integrated
18 gasification combined cycle technology;
- 19 (7) nuclear electric power generation; or
- 20 (8) a computer center primarily used in [~~connection~~
21 ~~with~~] one or more activities described by Subdivisions (1) through
22 (7) conducted by the entity.

23 SECTION 5. Sections 313.025(a-1), (b), (b-1), (c), (d), and
24 (f), Tax Code, are amended to read as follows:

25 (a-1) If the governing body of the school district elects to
26 consider the application [~~Within seven days of the receipt of each~~
27 ~~document~~], the [~~school~~] district shall submit to the comptroller a

1 copy of the application as provided by Subsection (b) [~~and the~~
2 ~~agreement between the applicant and the school district~~]. If an
3 economic analysis of the proposed project is submitted to the
4 school district, the district shall submit a copy of the analysis to
5 the comptroller. In addition, the school district shall submit to
6 the comptroller any subsequent revision of or amendment to any of
7 those documents within seven days of its receipt. The comptroller
8 shall publish each document received from the school district under
9 this subsection on the comptroller's Internet website. If the
10 school district maintains a generally accessible Internet website,
11 the district shall provide on its website a link to the location of
12 those documents posted on the comptroller's website in compliance
13 with this subsection. This subsection does not require the
14 comptroller to post information that is confidential under Section
15 313.028.

16 (b) The governing body of a school district is not required
17 to consider an application for a limitation on appraised value that
18 is filed with the governing body under Subsection (a). If the
19 governing body of the school district does elect to consider an
20 application, the governing body shall deliver a copy [~~three copies~~]
21 of the application to the comptroller and request that the
22 comptroller provide an economic impact evaluation of the
23 application to the school district. Except as provided by
24 Subsection (b-1), the comptroller shall conduct or contract with a
25 third person to conduct the evaluation, which shall be completed
26 and provided to the governing body of the school district as soon as
27 practicable. The governing body shall provide to the comptroller or

1 third person any requested information. A methodology to allow
2 comparisons of economic impact for different schedules of the
3 addition of qualified investment or qualified property may be
4 developed as part of the economic impact evaluation. The governing
5 body shall provide a copy of the evaluation to the applicant on
6 request. The comptroller may charge and collect a fee sufficient to
7 cover the costs of providing the economic impact evaluation. The
8 governing body of a school district shall approve or disapprove an
9 application not later than the 60th day after the date the governing
10 body receives a recommendation from the comptroller as to whether
11 the application should be approved or disapproved, unless the
12 comptroller has agreed to an extension [~~before the 151st day after~~
13 ~~the date the application is filed, unless the economic impact~~
14 ~~evaluation has not been received or an extension is agreed to by the~~
15 ~~governing body and the applicant~~].

16 (b-1) The comptroller shall [~~indicate on one copy of the~~
17 ~~application the date the comptroller received the application and~~
18 deliver a [that] copy of an application received by the comptroller
19 to the Texas Education Agency. The Texas Education Agency shall
20 determine the effect that the applicant's proposal will have on the
21 number or size of the school district's instructional facilities
22 and the projected effect on the Foundation School Program of
23 payments to the district for each year of the agreement [~~as~~
24 ~~required to be included in the economic impact evaluation by~~
25 ~~Section 313.026(a)(9), and submit a written report containing the~~
26 ~~agency's determination to the comptroller~~]. The governing body of
27 the school district shall provide any requested information to the

1 Texas Education Agency. Not later than the 45th day after the date
2 the Texas Education Agency receives the information necessary to
3 make the determinations required by this subsection [~~application~~
4 ~~indicates that the comptroller received the application~~], the
5 agency [~~Texas Education Agency~~] shall make the required
6 determinations [~~determination~~] and submit a [~~the agency's~~] written
7 report containing the agency's determinations to the comptroller. A
8 third person contracted by the comptroller to conduct an economic
9 impact evaluation of an application is not required to make a
10 determination that the Texas Education Agency is required to make
11 and report to the comptroller under this subsection.

12 (c) In determining whether to grant an application, the
13 governing body of the school district is entitled to request and
14 receive assistance from:

- 15 (1) the comptroller;
- 16 (2) the Texas [~~Department of~~] Economic Development and
17 Tourism Office;
- 18 (3) the Texas Workforce Investment Council; and
- 19 (4) the Texas Workforce Commission.

20 (d) Before the later of the 91st day after the date the
21 comptroller receives the copy of the application or the 46th day
22 after the date the Texas Education Agency submits to the
23 comptroller the report required by Subsection (b-1), the
24 comptroller shall submit a recommendation to the governing body of
25 the school district as to whether the application should be
26 approved or disapproved.

27 (f) The governing body may approve an application only if:

1 (1) the comptroller submits a recommendation to the
2 governing body that the application be approved; and

3 (2) the governing body finds that the information in
4 the application is true and correct, finds that the applicant is
5 eligible for the limitation on the appraised value of the person's
6 qualified property, and determines that granting the application is
7 in the best interest of the school district and this state.

8 SECTION 6. Section 313.026, Tax Code, is amended to read as
9 follows:

10 Sec. 313.026. ECONOMIC IMPACT EVALUATION. (a) The economic
11 impact evaluation of the application must include the following:

- 12 (1) the recommendations of the comptroller;
13 (2) the name of the school district;
14 (3) the name of the applicant;
15 (4) the general nature of the applicant's investment;
16 (5) the relationship between the applicant's industry
17 and the types of qualifying jobs to be created by the applicant to
18 the long-term economic growth [~~plans~~] of this state [~~as described~~
19 ~~in the strategic plan for economic development submitted by the~~
20 ~~Texas Strategic Economic Development Planning Commission under~~
21 ~~Section 481.033, Government Code, as that section existed before~~
22 ~~February 1, 1999]~~;

23 (6) an evaluation of the relative level of the
24 applicant's investment per qualifying job to be created by the
25 applicant;

26 (7) an evaluation of the number of qualifying jobs to
27 be created by the applicant in comparison with the average number of

1 jobs created in the applicant's industry for a similar type of
2 project at a similar level of investment;

3 (8) an evaluation of the wages, salaries, and benefits
4 to be offered by the applicant to qualifying job holders;

5 (9) an evaluation of the ability of the applicant to
6 locate or relocate in another state or another region of this state;

7 (10) an evaluation of ~~[the impact the project will~~
8 ~~have on this state and individual local units of government,~~
9 ~~including:~~

10 [~~(A) tax and other revenue gains, direct or~~
11 ~~indirect, that would be realized during the qualifying time period,~~
12 ~~the limitation period, and a period of time after the limitation~~
13 ~~period considered appropriate by the comptroller; and~~

14 [~~(B) economic effects of the project, including~~
15 ~~the impact on jobs and income, during the qualifying time period,~~
16 ~~the limitation period, and a period of time after the limitation~~
17 ~~period considered appropriate by the comptroller;~~

18 [~~(11)~~] the economic condition of the region of the
19 state at the time the person's application is being considered and
20 the impact of the project on the region;

21 (11) [~~(12) the number of new facilities built or~~
22 ~~expanded in the region during the two years preceding the date of~~
23 ~~the application that were eligible to apply for a limitation on~~
24 ~~appraised value under this subchapter;~~

25 [~~(13) the effect of the applicant's proposal, if~~
26 ~~approved, on the number or size of the school district's~~
27 ~~instructional facilities, as defined by Section 46.001, Education~~

1 Code;

2 ~~(14)~~ the projected market value of the qualified
3 property as certified by ~~of~~ the applicant to ~~as determined by~~
4 the comptroller;

5 (12) ~~(15)~~ the proposed limitation on appraised
6 value for the qualified property of the applicant;

7 (13) ~~(16)~~ the projected dollar amount of the taxes
8 that would be imposed on the qualified property, for each year of
9 the agreement, if the property does not receive a limitation on
10 appraised value with assumptions of the projected appreciation or
11 depreciation of the investment and projected tax rates clearly
12 stated;

13 (14) ~~(17)~~ the projected dollar amount of the taxes
14 that would be imposed on the qualified property, for each tax year
15 of the agreement, if the property receives a limitation on
16 appraised value with assumptions of the projected appreciation or
17 depreciation of the investment clearly stated; and

18 (15) ~~(18)~~ the projected effect on the Foundation
19 School Program of payments to the district for each year of the
20 agreement;

21 ~~(19) the projected future tax credits if the~~
22 ~~applicant also applies for school tax credits under Section~~
23 ~~313.103; and~~

24 ~~(20) the total amount of taxes projected to be lost or~~
25 ~~gained by the district over the life of the agreement computed by~~
26 ~~subtracting the projected taxes stated in Subdivision (17) from the~~
27 ~~projected taxes stated in Subdivision (16)].~~

1 (b) The comptroller's recommendations shall be based on the
2 criteria listed in Subsections (a)(5)-(15) [~~(a)(5)-(20)~~] and on any
3 other information available to the comptroller, including
4 information provided by the governing body of the school district
5 under Section 313.025(b).

6 SECTION 7. Section 313.0265(b), Tax Code, is amended to
7 read as follows:

8 (b) The comptroller shall designate the following as
9 substantive:

10 (1) each application requesting a limitation on
11 appraised value; and

12 (2) the economic impact evaluation made in connection
13 with the application[~~, and~~

14 [~~(3) each application requesting school tax credits~~
15 ~~under Section 313.103]~~.

16 SECTION 8. Section 313.027, Tax Code, is amended by
17 amending Subsections (h) and (i) and adding Subsection (j) to read
18 as follows:

19 (h) At any time before the applicant spends an amount that
20 is considered to be a qualified investment, the governing body of
21 the school district and the applicant may amend the agreement to
22 defer the date on which the qualifying time period for the project
23 is to commence. The commencement of the qualifying time period may
24 not be deferred to a date later than the second anniversary of the
25 date the qualifying time period was originally scheduled to end.

26 [~~The agreement between the governing body of the school district~~
27 ~~and the applicant may provide for a deferral of the date on which~~

1 ~~the qualifying time period for the project is to commence or,~~
2 ~~subsequent to the date the agreement is entered into, be amended to~~
3 ~~provide for such a deferral.]~~ This subsection may not be construed
4 to permit a qualifying time period that has commenced to continue
5 for more than the number of years applicable to the project under
6 Section 313.021(4). Any amount the applicant spends before the
7 date the qualifying time period commences may not be considered to
8 be a qualified investment.

9 (i) A person and the school district may not enter into an
10 agreement if in conjunction with the agreement any payments or
11 other benefits are to be provided by or on behalf of the person in
12 recognition or anticipation of, or in consideration for, the
13 district entering into the agreement, other than payments or
14 benefits authorized under Subsection (f)(1) or (2) ~~[under which the~~
15 ~~person agrees to provide supplemental payments to a school district~~
16 ~~in an amount that exceeds an amount equal to \$100 per student per~~
17 ~~year in average daily attendance, as defined by Section 42.005,~~
18 ~~Education Code, or for a period that exceeds the period beginning~~
19 ~~with the period described by Section 313.021(4) and ending with the~~
20 ~~period described by Section 313.104(2)(B) of this code. This limit~~
21 ~~does not apply to amounts described by Subsection (f)(1) or (2) of~~
22 ~~this section].~~

23 (j) A school district may not enter into an agreement or an
24 amendment to an agreement under this section without the prior
25 approval of the comptroller.

26 SECTION 9. Section 313.031(a), Tax Code, is amended to read
27 as follows:

1 (a) The comptroller shall:

2 (1) adopt rules and forms necessary for the
3 implementation and administration of this chapter, including rules
4 for determining whether a property owner's property qualifies as a
5 qualified investment under Section 313.021(1); and

6 (2) provide without charge one copy of the rules and
7 forms to any school district and to any person who states that the
8 person intends to apply for a limitation on appraised value under
9 this subchapter [~~or a tax credit under Subchapter D~~].

10 SECTION 10. The heading to Subchapter E, Chapter 313, Tax
11 Code, is amended to read as follows:

12 SUBCHAPTER E. AVAILABILITY OF TAX CREDIT AFTER PROGRAM EXPIRES OR
13 IS REPEALED

14 SECTION 11. Section 313.171(b), Tax Code, is amended to
15 read as follows:

16 (b) The repeal [~~expiration~~] of Subchapter D does not affect
17 a property owner's entitlement to a tax credit granted under
18 Subchapter D if the property owner qualified for the tax credit
19 before the repeal [~~expiration~~] of Subchapter D.

20 SECTION 12. Section 42.2515, Education Code, is amended by
21 amending Subsection (a) and adding Subsection (a-1) to read as
22 follows:

23 (a) For each school year, a school district, including a
24 school district that is otherwise ineligible for state aid under
25 this chapter, is entitled to state aid in an amount equal to the
26 amount of all tax credits credited against ad valorem taxes of the
27 district in that year under former Subchapter D, Chapter 313, Tax

1 Code.

2 (a-1) Not later than December 1 of each year, the
3 commissioner of education shall submit to the comptroller an
4 estimate of the total amount of additional state aid to which a
5 school district is entitled under this section for the school year
6 beginning in that year.

7 SECTION 13. Subchapter E, Chapter 42, Education Code, is
8 amended by adding Section 42.25151 to read as follows:

9 Sec. 42.25151. ADJUSTMENT FOR BENEFITS ASSOCIATED WITH
10 AGREEMENTS UNDER TEXAS ECONOMIC DEVELOPMENT ACT. (a) In this
11 section, "supplemental payment" means any payment or other benefit
12 provided by or on behalf of a property owner in recognition or
13 anticipation of, or in consideration for, a school district
14 entering into an agreement authorized under Chapter 313, Tax Code,
15 that was not prohibited by Section 313.027(i) of that code at the
16 time the district entered into the agreement, other than a payment
17 or benefit authorized under Section 313.027(f)(1) or (2) of that
18 code.

19 (b) Notwithstanding Section 42.2516, the commissioner shall
20 for any school year:

21 (1) reduce the amounts due to a school district under
22 this chapter by an amount equal to the value of any supplemental
23 payments provided during that school year in conjunction with an
24 agreement with the district under Chapter 313, Tax Code; or

25 (2) increase the amounts necessary for a school
26 district to comply with the requirements of Chapter 41 by an amount
27 equal to the value of any supplemental payments provided during

1 that school year in conjunction with an agreement with the district
2 under Chapter 313, Tax Code.

3 (c) A school district shall:

4 (1) report each supplemental payment through the
5 Public Education Information Management System (PEIMS); and

6 (2) clearly identify each supplemental payment in the
7 district's adopted budget and in the annual report required by
8 Section 44.007.

9 (d) The commissioner, in consultation with the comptroller,
10 as appropriate, may adopt rules necessary to implement this
11 section.

12 SECTION 14. Section 42.302(e), Education Code, is amended
13 to read as follows:

14 (e) For purposes of this section, school district taxes for
15 which credit is granted under former Subchapter D, Chapter 313, Tax
16 Code, are considered taxes collected by the school district as if
17 the taxes were paid when the credit for the taxes was granted.

18 SECTION 15. Section 403.302(d), Government Code, as amended
19 by Chapters 1186 (H.B. 3676) and 1328 (H.B. 3646), Acts of the 81st
20 Legislature, Regular Session, 2009, is reenacted and amended to
21 read as follows:

22 (d) For the purposes of this section, "taxable value" means
23 the market value of all taxable property less:

24 (1) the total dollar amount of any residence homestead
25 exemptions lawfully granted under Section 11.13(b) or (c), Tax
26 Code, in the year that is the subject of the study for each school
27 district;

1 (2) one-half of the total dollar amount of any
2 residence homestead exemptions granted under Section 11.13(n), Tax
3 Code, in the year that is the subject of the study for each school
4 district;

5 (3) the total dollar amount of any exemptions granted
6 before May 31, 1993, within a reinvestment zone under agreements
7 authorized by Chapter 312, Tax Code;

8 (4) subject to Subsection (e), the total dollar amount
9 of any captured appraised value of property that:

10 (A) is within a reinvestment zone created on or
11 before May 31, 1999, or is proposed to be included within the
12 boundaries of a reinvestment zone as the boundaries of the zone and
13 the proposed portion of tax increment paid into the tax increment
14 fund by a school district are described in a written notification
15 provided by the municipality or the board of directors of the zone
16 to the governing bodies of the other taxing units in the manner
17 provided by Section 311.003(e), Tax Code, before May 31, 1999, and
18 within the boundaries of the zone as those boundaries existed on
19 September 1, 1999, including subsequent improvements to the
20 property regardless of when made;

21 (B) generates taxes paid into a tax increment
22 fund created under Chapter 311, Tax Code, under a reinvestment zone
23 financing plan approved under Section 311.011(d), Tax Code, on or
24 before September 1, 1999; and

25 (C) is eligible for tax increment financing under
26 Chapter 311, Tax Code;

27 (5) the total dollar amount of any captured appraised

1 value of property that:

2 (A) is within a reinvestment zone:

3 (i) created on or before December 31, 2008,
4 by a municipality with a population of less than 18,000; and

5 (ii) the project plan for which includes
6 the alteration, remodeling, repair, or reconstruction of a
7 structure that is included on the National Register of Historic
8 Places and requires that a portion of the tax increment of the zone
9 be used for the improvement or construction of related facilities
10 or for affordable housing;

11 (B) generates school district taxes that are paid
12 into a tax increment fund created under Chapter 311, Tax Code; and

13 (C) is eligible for tax increment financing under
14 Chapter 311, Tax Code;

15 (6) the total dollar amount of any exemptions granted
16 under Section 11.251 or 11.253, Tax Code;

17 (7) the difference between the comptroller's estimate
18 of the market value and the productivity value of land that
19 qualifies for appraisal on the basis of its productive capacity,
20 except that the productivity value estimated by the comptroller may
21 not exceed the fair market value of the land;

22 (8) the portion of the appraised value of residence
23 homesteads of individuals who receive a tax limitation under
24 Section 11.26, Tax Code, on which school district taxes are not
25 imposed in the year that is the subject of the study, calculated as
26 if the residence homesteads were appraised at the full value
27 required by law;

1 (9) a portion of the market value of property not
2 ~~[otherwise fully]~~ taxable by the district for maintenance and
3 operations tax purposes as the result of an agreement entered into
4 by the district under Subchapter B or C, Chapter 313, Tax Code,
5 before the expiration of the subchapter, as adjusted by the
6 comptroller using the ratio of the maintenance and operations tax
7 rate to the total tax rate adopted by the district ~~[at market value~~
8 ~~because of:~~

9 ~~[(A) action required by statute or the~~
10 ~~constitution of this state that, if the tax rate adopted by the~~
11 ~~district is applied to it, produces an amount equal to the~~
12 ~~difference between the tax that the district would have imposed on~~
13 ~~the property if the property were fully taxable at market value and~~
14 ~~the tax that the district is actually authorized to impose on the~~
15 ~~property, if this subsection does not otherwise require that~~
16 ~~portion to be deducted; or~~

17 ~~[(B) action taken by the district under~~
18 ~~Subchapter B or C, Chapter 313, Tax Code, before the expiration of~~
19 ~~the subchapter];~~

20 (10) the market value of all tangible personal
21 property, other than manufactured homes, owned by a family or
22 individual and not held or used for the production of income;

23 (11) the appraised value of property the collection of
24 delinquent taxes on which is deferred under Section 33.06, Tax
25 Code;

26 (12) the portion of the appraised value of property
27 the collection of delinquent taxes on which is deferred under

1 Section 33.065, Tax Code; ~~and~~

2 (13) the amount by which the market value of a
3 residence homestead to which Section 23.23, Tax Code, applies
4 exceeds the appraised value of that property as calculated under
5 that section; and

6 (14) the total dollar amount of any exemptions granted
7 by the district because of action required by statute or the
8 constitution of this state and not included as a deduction
9 elsewhere in this subsection.

10 SECTION 16. Section 403.302(m), Government Code, as added
11 by Chapter 1186 (H.B. 3676), Acts of the 81st Legislature, Regular
12 Session, 2009, is amended to conform to Section 80, Chapter 1328
13 (H.B. 3646), Acts of the 81st Legislature, Regular Session, 2009,
14 to read as follows:

15 (m) Subsection (d)(9) [~~(d)(10)~~] does not apply to property
16 that was the subject of an application under Subchapter B or C,
17 Chapter 313, Tax Code, made after May 1, 2009, that the comptroller
18 recommended should be disapproved.

19 SECTION 17. Section 403.302, Government Code, is amended by
20 adding Subsection (p) to read as follows:

21 (p) Notwithstanding Subsection (d)(9), if the estimated
22 statewide levy loss exceeds \$225 million in any year, the
23 comptroller shall reduce the amount of the deduction under
24 Subsection (d)(9) from the market value of the taxable property in
25 each school district for that year based on the proportion that the
26 amount of the deduction under that subsection for each school
27 district bears to the estimated statewide levy loss so that the

1 estimated statewide levy loss does not exceed \$225 million in that
2 year. For purposes of this subsection, "estimated statewide levy
3 loss" means the amount computed by:

4 (1) multiplying the amount deducted under Subsection
5 (d)(9) for each school district in this state for that year by the
6 quotient of the adopted tax rate of the district for that year
7 divided by 100;

8 (2) adding the amounts computed under Subdivision (1)
9 for all of the school districts in this state; and

10 (3) adding the amounts estimated by the commissioner
11 of education and submitted to the comptroller under Section
12 42.2515(a-1), Education Code, for all of the school districts in
13 this state for that year to the amount computed under Subdivision
14 (2).

15 SECTION 18. The following provisions of the Tax Code are
16 repealed:

17 (1) Sections 313.008, 313.025(d-1) and (g), and
18 313.032; and

19 (2) Subchapter D, Chapter 313.

20 SECTION 19. To the extent of any conflict, this Act prevails
21 over another Act of the 82nd Legislature, Regular Session, 2011,
22 relating to nonsubstantive additions to and corrections in enacted
23 codes.

24 SECTION 20. Chapter 313, Tax Code, as amended by this Act,
25 applies only to an agreement entered into under that chapter on or
26 after the effective date of this Act. An agreement entered into
27 under that chapter before the effective date of this Act is governed

1 by the law in effect on the date the agreement was entered into, and
2 the former law is continued in effect for that purpose.

3 SECTION 21. This Act takes effect immediately if it
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this Act takes effect September 1, 2011.