

## **BILL ANALYSIS**

Senate Research Center  
83R3358 CJC-D

S.B. 1153  
By: Davis  
Finance  
4/12/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The comptroller of public accounts of the State of Texas (comptroller) is required by statute to biennially produce the *Tax Exemption and Tax Incidence Report* on the effect of exemptions, discounts, and exclusions of sales, excise, and use; franchise; school district property; motor vehicle; and any other tax generating in excess of five percent of state collections in the prior fiscal year. The report does not include information on taxes that would otherwise meet the minimum threshold for inclusion in the report if the value of the exemptions were considered. This results in a lack of public information regarding some state programs, including the high-cost gas-rate reduction.

S.B. 1153 amends statute to require the comptroller to include the estimated value of exemptions, discounts, and exclusions, when identifying taxes for inclusion in the *Tax Exemptions and Tax Incidence Report*. The bill also requires the comptroller to include any tax that has met the criteria for inclusion in the report in a previous fiscal year. Currently, because the same taxes are not always included in each report it is not always possible to review previous reports to gain context for current trends and projections.

As proposed, S.B. 1153 amends current law relating to reports issued by the comptroller on the effect of certain tax provisions.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 403.014(a), Government Code, as follows:

(a) Requires the comptroller of public accounts of the State of Texas (comptroller), before each regular session of the legislature, to report to the legislature and the governor on the effect, if it is possible to assess, of exemptions, discounts, exclusions, special valuations, special accounting treatments, special rates, and special methods of reporting relating to:

(1)-(3) Makes no change to these subdivisions;

(4) motor vehicle tax under Section 152.090 (Certain Hydrogen-Powered Motor Vehicles), Tax Code;

(5) any other state tax previously included in a report under this section, if that tax still exists; and

(6) any other tax that generated more than five percent of the state tax revenue in the prior fiscal year or that would have generated more than five percent of state tax revenue in the prior fiscal year in the absence of all exemptions, discounts, exclusions, special valuations, special accounting treatments, special rates, and special methods of reporting relating to the tax.

Makes nonsubstantive changes.

SECTION 2. Amends Section 403.0141(a), Government Code, as follows:

(a) Requires the comptroller, before each regular session of the legislature, to report to the legislature and the governor on the overall incidence of the school district property tax, any state tax that generated, rather than any state tax generating, more than 2.5 percent of state tax revenue in the prior fiscal year, any state tax that would have generated more than 2.5 percent of state tax revenue in the prior fiscal year in the absence of all exemptions, discounts, exclusions, special valuations, special accounting treatments, special rates, and special methods of reporting relating to the tax, and any other state tax previously included in a report under this section, if that tax still exists.  
Makes nonsubstantive changes.

SECTION 3. Effective date: September 1, 2013.