

BILL ANALYSIS

C.S.S.B. 1467

By: Estes

Economic & Small Business Development
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Legislation has been enacted in other states limiting the manufacture or sale of firearms and firearms accessories. Interested individuals advocate for Texas to remain a state open to business, committed to free market principles, and supportive of its citizens' constitutional rights. In an effort to support these interests, C.S.S.B. 1467 seeks to provide economic development incentives for firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1467 amends the Government Code to require the Texas Economic Development and Tourism Office (TEDTO) to facilitate the location, relocation, or expansion to Texas, and the retention in Texas, of firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers, including by identifying domestic and international firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers interested in expanding or relocating to Texas and by issuing requests for proposals for the location, relocation, or expansion to Texas, and the retention in Texas, of firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers. The bill requires TEDTO to promptly review each proposal received and to identify economic development incentives available under statutory provisions relating to commerce and industrial development or other Texas laws for which the proposal may be eligible. The bill authorizes the governor, if TEDTO determines a proposal is eligible for funding under the Texas Enterprise Fund, to negotiate on behalf of the state for a grant to be awarded from the fund. The bill authorizes TEDTO, if TEDTO determines a proposal is eligible for economic development incentives under statutory provisions relating to commerce and industrial development or other Texas laws, to negotiate on behalf of the state with respect to the issuance of those incentives. The bill requires negotiated economic development incentives to be commensurate with the size and scope of the proposed projects.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 1467 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Subchapter B, Chapter 481, Government Code, is amended by adding Section 481.0297 to read as follows:

Sec. 481.0297. FIREARM AND AMMUNITION MANUFACTURERS.

(a) The office shall facilitate the location, expansion, and retention of firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers to the state, including:

- (1) identifying domestic and international firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers interested in expanding or relocating to the state; and
- (2) issuing requests for proposals for the location, relocation, or expansion of firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers to the state.

(b) Upon receipt of proposals under Subsection (a), the office may negotiate on behalf of the state the issuance of funds provided by Section 481.078, franchise tax exemptions, sales tax exemptions, and other incentives as provided by this chapter or other provisions of the law commensurate with the size and scope of the proposed project.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 481, Government Code, is amended by adding Section 481.0297 to read as follows:

Sec. 481.0297. FIREARMS, FIREARMS ACCESSORY, AND AMMUNITION MANUFACTURERS.

(a) The office shall facilitate the location, relocation, or expansion to this state, and the retention in this state, of firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers, including by:

- (1) identifying domestic and international firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers interested in expanding or relocating to this state; and
- (2) issuing requests for proposals for the location, relocation, or expansion to this state, and the retention in this state, of firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers.

(b) The office shall promptly:

- (1) review each proposal received under this section; and
- (2) identify economic development incentives available under this subtitle or other laws of this state for which the proposal may be eligible.

(c) If the office determines a proposal received under this section is eligible for funding under the Texas Enterprise Fund established under Section 481.078, the governor may negotiate on behalf of the state for a grant to be awarded from the fund.

(d) Except as provided by Subsection (c), if the office determines a proposal is eligible for economic development incentives under this subtitle or other laws of this state, the office may negotiate on behalf of the state with respect to the issuance of those incentives.

(e) Economic development incentives negotiated under this section must be commensurate with the size and scope of the proposed projects.

SECTION 2. Same as engrossed version.

house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.