

AN ACT

relating to the definitions of certain terms for purposes of the ad valorem taxation of certain dealer's heavy equipment inventory.

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

SECTION 1. Sections 23.1241(a)(1) and (2), Tax Code, are amended to read as follows:

(1) "Dealer" means a person engaged in the business in this state of selling, leasing, or renting heavy equipment. The term does not include a bank, savings bank, savings and loan association, credit union, or other finance company. In addition, for purposes of taxation of a person's inventory of heavy equipment in a tax year, the term does not include a person who renders the person's inventory of heavy equipment for taxation in that tax year by filing a rendition statement or property report in accordance with Chapter 22.

(2) "Dealer's heavy equipment inventory" means all items of heavy equipment that a dealer holds for sale, lease, or rent in this state during a 12-month period.

SECTION 2. The only purposes of this Act are to exclude certain financial institutions and other finance companies, as well as persons who render their inventory of heavy equipment for taxation in accordance with Chapter 22, Tax Code, from being required to comply with the requirements of Sections 23.1241, 23.1242, and 23.1243, Tax Code, as amended or added by Chapter 322

1 (H.B. 2476), Acts of the 82nd Legislature, Regular Session, 2011,  
2 and to limit the definition of a dealer's heavy equipment inventory  
3 for purposes of those sections of the Tax Code to items of heavy  
4 equipment held for sale, lease, or rent in this state. This Act is  
5 not intended to affect any litigation pending on the effective date  
6 of this Act or filed on or after the effective date of this Act that  
7 arises out of the changes in law made by Chapter 322 (H.B. 2476),  
8 Acts of the 82nd Legislature, Regular Session, 2011.

9 SECTION 3. This Act applies only to ad valorem taxes imposed  
10 for a tax year beginning on or after the effective date of this Act.

11 SECTION 4. This Act takes effect January 1, 2014.

H.B. No. 826

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President of the Senate

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Speaker of the House

I certify that H.B. No. 826 was passed by the House on May 2, 2013, by the following vote: Yeas 147, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 826 on May 23, 2013, by the following vote: Yeas 145, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 826 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor