

1-1 By: Harless (Senate Sponsor - Eltife) H.B. No. 826
1-2 (In the Senate - Received from the House May 6, 2013;
1-3 May 7, 2013, read first time and referred to Committee on Finance;
1-4 May 20, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 12, Nays 2; May 20, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Williams	X		
1-10	Hinojosa	X		
1-11	Deuell	X		
1-12	Duncan	X		
1-13	Eltife	X		
1-14	Estes	X		
1-15	Hegar	X		
1-16	Huffman	X		
1-17	Lucio		X	
1-18	Nelson	X		
1-19	Patrick	X		
1-20	Seliger	X		
1-21	West		X	
1-22	Whitmire	X		
1-23	Zaffirini		X	

1-24 COMMITTEE SUBSTITUTE FOR H.B. No. 826 By: Huffman

1-25 A BILL TO BE ENTITLED
1-26 AN ACT

1-27 relating to the definitions of certain terms for purposes of the ad
1-28 valorem taxation of certain dealer's heavy equipment inventory.
1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-30 SECTION 1. Sections 23.1241(a)(1) and (2), Tax Code, are
1-31 amended to read as follows:

1-32 (1) "Dealer" means a person engaged in the business in
1-33 this state of selling, leasing, or renting heavy equipment. The
1-34 term does not include a bank, savings bank, savings and loan
1-35 association, credit union, or other finance company. In addition,
1-36 for purposes of taxation of a person's inventory of heavy equipment
1-37 in a tax year, the term does not include a person who renders the
1-38 person's inventory of heavy equipment for taxation in that tax year
1-39 by filing a rendition statement or property report in accordance
1-40 with Chapter 22.

1-41 (2) "Dealer's heavy equipment inventory" means all
1-42 items of heavy equipment that a dealer holds for sale, lease, or
1-43 rent in this state during a 12-month period.

1-44 SECTION 2. The only purposes of this Act are to exclude
1-45 certain financial institutions and other finance companies, as well
1-46 as persons who render their inventory of heavy equipment for
1-47 taxation in accordance with Chapter 22, Tax Code, from being
1-48 required to comply with the requirements of Sections 23.1241,
1-49 23.1242, and 23.1243, Tax Code, as amended or added by Chapter 322
1-50 (H.B. 2476), Acts of the 82nd Legislature, Regular Session, 2011,
1-51 and to limit the definition of a dealer's heavy equipment inventory
1-52 for purposes of those sections of the Tax Code to items of heavy
1-53 equipment held for sale, lease, or rent in this state. This Act is
1-54 not intended to affect any litigation pending on the effective date
1-55 of this Act or filed on or after the effective date of this Act that
1-56 arises out of the changes in law made by Chapter 322 (H.B. 2476),
1-57 Acts of the 82nd Legislature, Regular Session, 2011.

1-58 SECTION 3. This Act applies only to ad valorem taxes imposed
1-59 for a tax year beginning on or after the effective date of this Act.

1-60 SECTION 4. This Act takes effect January 1, 2014.

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