

By: Button, Bohac, N. Gonzalez of El Paso,
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H.B. No. 1310

A BILL TO BE ENTITLED

AN ACT

relating to the exclusion from total revenue of the cost of certain vaccines for purposes of the franchise tax.

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

SECTION 1. Section 171.1011(p), Tax Code, is amended by amending Subdivision (4-a) and adding Subdivisions (4-b) and (8) to read as follows:

(4-a) "Physician practice" means an entity that:

(A) is owned entirely by one or more individuals licensed to practice medicine in this state under Subtitle B, Title 3, Occupations Code; and

(B) offers services, the provision of which is considered practicing medicine as defined by Section 151.002(a)(13), Occupations Code.

(4-b) "Pro bono services" means the direct provision of legal services to the poor, without an expectation of compensation.

(8) "Vaccine" means a preparation or suspension of dead, live attenuated, or live fully virulent viruses or bacteria, or of antigenic proteins derived from them, used to prevent, ameliorate, or treat an infectious disease.

SECTION 2. Section 171.1011, Tax Code, is amended by adding Subsection (u) to read as follows:

(u) A taxable entity that is a physician practice shall

1 exclude from its total revenue the actual cost paid by the taxable
2 entity for a vaccine.

3 SECTION 3. This Act applies only to a report originally due
4 on or after the effective date of this Act.

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