

By: Morrison

H.B. No. 2271

A BILL TO BE ENTITLED

AN ACT

relating to an annual hurricane damage mitigation week.

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

SECTION 1. Subchapter E, Chapter 662, Government Code, is amended by adding Section 662.155 to read as follows:

Sec. 662.155. HURRICANE DAMAGE MITIGATION WEEK. (a) May 25 to May 31 is hurricane damage mitigation week to encourage individuals, governmental entities, business owners, and commercial property owners to prepare for hurricane season.

(b) For each hurricane damage mitigation week, the legislature requests the governor to issue a proclamation encouraging:

(1) individuals, business owners, and commercial property owners to prepare their homes, properties, and communities for hurricane season;

(2) state agencies to review and update their hurricane preparedness plans; and

(3) the Texas Education Agency, the Texas Division of Emergency Management, the Texas Economic Development and Tourism Office, the Texas Department of Insurance, counties, and municipalities to focus educational and outreach efforts on hurricane preparedness.

SECTION 2. Subchapter H, Chapter 151, Tax Code, is amended by adding Section 151.356 to read as follows:

1 Sec. 151.356. HURRICANE PREPARATION SUPPLIES FOR LIMITED
2 PERIOD. (a) The sale of a hurricane preparation item is exempted
3 from the taxes imposed by this chapter if the sale takes place
4 during a period beginning at 12:01 a.m. on May 25 and ending at 12
5 midnight on May 31.

6 (b) For purposes of this section, "hurricane preparation
7 item" means:

8 (1) a portable generator used to provide light or
9 communications or to preserve perishable food in the event of a
10 power outage, the sales price of which does not exceed \$1,000;

11 (2) an item listed in this subdivision, the sales
12 price of which does not exceed \$60:

13 (A) a reusable or artificial ice product;

14 (B) a portable, self-powered light source;

15 (C) a gasoline or diesel fuel container;

16 (D) a AAA cell, AA cell, C cell, D cell, 6 volt,
17 or 9 volt battery, or a package containing more than one battery,
18 other than an automobile or boat battery;

19 (E) a nonelectric cooler or ice chest for food
20 storage;

21 (F) a tarpaulin or other flexible waterproof
22 sheeting;

23 (G) a ground anchor system or tie-down kit;

24 (H) a clip or hold-down device;

25 (I) a hurricane strap;

26 (J) a mobile telephone battery or battery
27 charger;

1 (K) a battery-powered or self-powered radio,
2 including a two-way radio or weatherband radio;

3 (L) a carbon monoxide detector;

4 (M) a storm shutter; or

5 (N) any material or device specifically
6 manufactured and marketed for the purpose of preventing window
7 damage; or

8 (3) an item included on a list under Subsection (c),
9 the sales price of which does not exceed \$60.

10 (c) Each year, the comptroller may publish a list of
11 additional hurricane preparation items that are exempted from tax
12 under this section for that year. The list may contain only items
13 the comptroller determines, after consulting with the Texas
14 Division of Emergency Management, are necessary for hurricane
15 preparation. Not later than April 15, the comptroller shall:

16 (1) notify each permit holder under this chapter of
17 the items on the list;

18 (2) publish the list on the comptroller's Internet
19 website; and

20 (3) submit the list for publication in the Texas
21 Register.

22 SECTION 3. The change in law made by this Act does not
23 affect taxes imposed before the effective date of this Act, and the
24 law in effect before the effective date of this Act is continued in
25 effect for purposes of the liability for and collection of those
26 taxes.

27 SECTION 4. This Act takes effect September 1, 2013.