

By: Klick

H.B. No. 2599

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an exemption from ad valorem taxation of the property of
3 a political party.

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

5 SECTION 1. Section 11.18, Tax Code, is amended by amending
6 Subsection (d) and adding Subsection (r) to read as follows:

7 (d) A charitable organization must be organized exclusively
8 to perform religious, charitable, scientific, literary, or
9 educational purposes and, except as permitted by Subsections (h)
10 and (l), engage exclusively in performing one or more of the
11 following charitable functions:

12 (1) providing medical care without regard to the
13 beneficiaries' ability to pay, which in the case of a nonprofit
14 hospital or hospital system means providing charity care and
15 community benefits in accordance with Section 11.1801;

16 (2) providing support or relief to orphans,
17 delinquent, dependent, or handicapped children in need of
18 residential care, abused or battered spouses or children in need of
19 temporary shelter, the impoverished, or victims of natural disaster
20 without regard to the beneficiaries' ability to pay;

21 (3) providing support without regard to the
22 beneficiaries' ability to pay to:

23 (A) elderly persons, including the provision of:

24 (i) recreational or social activities; and

1 (ii) facilities designed to address the
2 special needs of elderly persons; or

3 (B) the handicapped, including training and
4 employment:

5 (i) in the production of commodities; or

6 (ii) in the provision of services under 41
7 U.S.C. Sections 8501-8506 [~~46-48e~~];

8 (4) preserving a historical landmark or site;

9 (5) promoting or operating a museum, zoo, library,
10 theater of the dramatic or performing arts, or symphony orchestra
11 or choir;

12 (6) promoting or providing humane treatment of
13 animals;

14 (7) acquiring, storing, transporting, selling, or
15 distributing water for public use;

16 (8) answering fire alarms and extinguishing fires with
17 no compensation or only nominal compensation to the members of the
18 organization;

19 (9) promoting the athletic development of boys or
20 girls under the age of 18 years;

21 (10) preserving or conserving wildlife;

22 (11) promoting educational development through loans
23 or scholarships to students;

24 (12) providing halfway house services pursuant to a
25 certification as a halfway house by the parole division of the Texas
26 Department of Criminal Justice;

27 (13) providing permanent housing and related social,

1 health care, and educational facilities for persons who are 62
2 years of age or older without regard to the residents' ability to
3 pay;

4 (14) promoting or operating an art gallery, museum, or
5 collection, in a permanent location or on tour, that is open to the
6 public;

7 (15) providing for the organized solicitation and
8 collection for distributions through gifts, grants, and agreements
9 to nonprofit charitable, education, religious, and youth
10 organizations that provide direct human, health, and welfare
11 services;

12 (16) performing biomedical or scientific research or
13 biomedical or scientific education for the benefit of the public;

14 (17) operating a television station that produces or
15 broadcasts educational, cultural, or other public interest
16 programming and that receives grants from the Corporation for
17 Public Broadcasting under 47 U.S.C. Section 396, as amended;

18 (18) providing housing for low-income and
19 moderate-income families, for unmarried individuals 62 years of age
20 or older, for handicapped individuals, and for families displaced
21 by urban renewal, through the use of trust assets that are
22 irrevocably and, pursuant to a contract entered into before
23 December 31, 1972, contractually dedicated on the sale or
24 disposition of the housing to a charitable organization that
25 performs charitable functions described by Subdivision (9);

26 (19) providing housing and related services to persons
27 who are 62 years of age or older in a retirement community, if the

1 retirement community provides independent living services,
2 assisted living services, and nursing services to its residents on
3 a single campus:

4 (A) without regard to the residents' ability to
5 pay; or

6 (B) in which at least four percent of the
7 retirement community's combined net resident revenue is provided in
8 charitable care to its residents;

9 (20) providing housing on a cooperative basis to
10 students of an institution of higher education if:

11 (A) the organization is exempt from federal
12 income taxation under Section 501(a), Internal Revenue Code of
13 1986, as amended, by being listed as an exempt entity under Section
14 501(c)(3) of that code;

15 (B) membership in the organization is open to all
16 students enrolled in the institution and is not limited to those
17 chosen by current members of the organization;

18 (C) the organization is governed by its members;
19 and

20 (D) the members of the organization share the
21 responsibility for managing the housing;

22 (21) acquiring, holding, and transferring unimproved
23 real property under an urban land bank demonstration program
24 established under Chapter 379C, Local Government Code, as or on
25 behalf of a land bank;

26 (22) acquiring, holding, and transferring unimproved
27 real property under an urban land bank program established under

1 Chapter 379E, Local Government Code, as or on behalf of a land bank;

2 (23) providing housing and related services to
3 individuals who:

4 (A) are unaccompanied and homeless and have a
5 disabling condition; and

6 (B) have been continuously homeless for a year or
7 more or have had at least four episodes of homelessness in the
8 preceding three years; ~~or~~

9 (24) operating a radio station that broadcasts
10 educational, cultural, or other public interest programming,
11 including classical music, and that in the preceding five years has
12 received or been selected to receive one or more grants from the
13 Corporation for Public Broadcasting under 47 U.S.C. Section 396, as
14 amended; or

15 (25) promoting a candidate for election to a federal,
16 state, or local public office.

17 (r) The exemption authorized by Subsection (d)(25) applies
18 only to an organization that is required to nominate candidates by
19 primary election under Chapter 172, Election Code.

20 SECTION 2. This Act applies only to a tax year that begins
21 on or after the effective date of this Act.

22 SECTION 3. This Act takes effect January 1, 2014.