

1-1 By: Isaac (Senate Sponsor - Zaffirini) H.B. No. 3159
1-2 (In the Senate - Received from the House May 9, 2013;
1-3 May 10, 2013, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 17, 2013, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 17, 2013, sent to
1-6 printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Hinojosa	X		PNV
1-10	Nichols	X		
1-11	Garcia	X		
1-12	Paxton			X
1-13	Taylor	X		

1-14 A BILL TO BE ENTITLED
1-15 AN ACT

1-16 relating to an agreement to allocate sales and use tax after a
1-17 municipality annexes land in an emergency services district and to
1-18 the provision of emergency services in that area.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 775.0753(c), Health and Safety Code, is
1-21 amended to read as follows:

1-22 (c) Except as provided by Section 775.0754, the [The]
1-23 provisions of Section 321.102, Tax Code, governing the application
1-24 of a municipal sales and use tax in the event of a change in the
1-25 boundaries of a municipality apply to the application of a tax
1-26 imposed under this chapter in the event of a change in the
1-27 district's boundaries.

1-28 SECTION 2. Subchapter E, Chapter 775, Health and Safety
1-29 Code, is amended by adding Section 775.0754 to read as follows:

1-30 Sec. 775.0754. SALES AND USE TAX AGREEMENT WITH
1-31 MUNICIPALITY AFTER ANNEXATION. (a) This section applies when:

1-32 (1) a municipality annexes for full purposes part of a
1-33 district that imposes a sales and use tax; and

1-34 (2) the annexed area is not removed from the district.

1-35 (b) The municipality and the district may, before or after
1-36 the annexation, agree on an allocation between the municipality and
1-37 the district of revenue from the sales and use tax imposed in the
1-38 annexed area.

1-39 (c) Under policies and procedures that the comptroller
1-40 considers reasonable, the comptroller shall pay the amounts agreed
1-41 to between the municipality and the district.

1-42 (d) A municipality that enters into an agreement under this
1-43 section is not required to provide emergency services in that
1-44 annexed territory. To the extent of a conflict between this
1-45 subsection and Section 43.056, Local Government Code, or any other
1-46 law, this subsection controls.

1-47 (e) Section 321.102(f), Tax Code, does not apply if the
1-48 municipality and the district enter into an agreement under this
1-49 section.

1-50 SECTION 3. This Act takes effect September 1, 2013.

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