

By: Hilderbran

H.B. No. 3389

A BILL TO BE ENTITLED

1 AN ACT
2 relating to apportionment of the programming and subscription
3 revenue of direct-to-home satellite service providers under the
4 franchise tax.

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

6 SECTION 1. Section 171.106, Tax Code, is amended by adding
7 Subsection (h) to read as follows:

8 (h) A direct-to-home satellite service provider shall
9 include in the numerator of the provider's apportionment factor
10 programming and subscription revenue only if the programming is
11 transmitted from a location within this state. In this subsection,
12 "programming and subscription revenue" means recurring charges
13 received from customers for basic and premium video, audio,
14 interactive, or other television programming. The term does not
15 include charges for the sale, rental, or use of satellite dishes,
16 set-top receivers, remote controls, or other related
17 non-transmission equipment.

18 SECTION 2. This Act applies only to a report originally due
19 on or after the effective date of this Act.

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