

By: Isaac

H.B. No. 3776

A BILL TO BE ENTITLED

AN ACT

1
2 Relating to consideration of payments made in lieu of ad valorem
3 taxes.

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

5 SECTION 1. Section 41.093, Education Code, is amended by
6 amending Subsection (a) and adding Subsection (b-2) to read as
7 follows:

8 (a) Subject to Subsections [~~Subsection~~] (b-1) and (b-2),
9 the cost of each credit is an amount equal to the greater of:

10 (1) the amount of the district's maintenance and
11 operations tax revenue per student in weighted average daily
12 attendance for the school year for which the contract is executed;
13 or

14 (2) the amount of the statewide district average of
15 maintenance and operations tax revenue per student in weighted
16 average daily attendance for the school year preceding the school
17 year for which the contract is executed.

18 (b-2) In this subsection, "payments in lieu of taxes" means
19 amounts that are paid to a school district by the owner of property
20 exempt from ad valorem taxation who receives an allocation of low
21 income housing tax credits from the Texas Department of Housing and
22 Community Affairs under Subchapter DD, Chapter 2306, Government
23 Code, in connection with development of the property. The
24 commissioner, in computing the amounts described by Subsections

1 (a)(1) and (2) and determining the cost of an attendance credit,
2 shall include payments in lieu of taxes as if the payments were
3 maintenance and operations tax revenue. The commissioner may adopt
4 rules necessary to implement this subsection.

5 SECTION 2. This Act takes effect September 1, 2013.