

By: Carona
(Zerwas)

S.B. No. 158

A BILL TO BE ENTITLED

AN ACT

relating to the average price below which a newspaper is exempt from the sales tax.

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

SECTION 1. Subsection (f), Section 151.319, Tax Code, is amended to read as follows:

(f) In this section, "newspaper" means a publication that is printed on newsprint, the average sales price of which for each copy over a 30-day period does not exceed \$3 [~~\$1.50~~], and that is printed and distributed at a daily, weekly, or other short interval for the dissemination of news of a general character and of a general interest. "Newspaper" does not include a magazine, handbill, circular, flyer, sales catalog, or similar printed item unless the printed item is printed for distribution as a part of a newspaper and is actually distributed as a part of a newspaper. For the purposes of this section, an advertisement is news of a general character and of a general interest. Notwithstanding any other provision of this subsection, "newspaper" includes:

(1) a publication containing articles and essays of general interest by various writers and advertisements that is produced for the operator of a licensed and certified carrier of persons and distributed by the operator to its customers during their travel on the carrier; and

(2) a publication for the dissemination of news of a

1 general character and of a general interest that is printed on
2 newsprint and distributed to the general public free of charge at a
3 daily, weekly, or other short interval.

4 SECTION 2. The change in law made by this Act does not
5 affect taxes imposed before the effective date of this Act. Taxes
6 imposed before the effective date of this Act are governed by the
7 law in effect when the taxes were imposed, and that law is continued
8 in effect for purposes of the liability for and collection of those
9 taxes.

10 SECTION 3. This Act takes effect July 1, 2013, if it
11 receives a vote of two-thirds of all the members elected to each
12 house, as provided by Section 39, Article III, Texas Constitution.
13 If this Act does not receive the vote necessary for effect on that
14 date, this Act takes effect October 1, 2013.