



HOUSE BILL NO. 33
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Springer

1 Amend C.S.S.B. No. 1 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering the subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Sections 313.025(b), (d), and (f-1), Tax
5 Code, are amended to read as follows:

6 (b) The governing body of a school district is not required
7 to consider an application for a limitation on appraised value. If
8 the governing body of the school district elects to consider an
9 application, the governing body shall deliver a copy of the
10 application to the comptroller and request that the comptroller
11 conduct an economic impact evaluation of the investment proposed by
12 the application. The comptroller shall conduct or contract with a
13 third person to conduct the economic impact evaluation, which shall
14 be completed and provided to the governing body of the school
15 district, along with the comptroller's certificate or written
16 explanation under Subsection (d), as soon as practicable but not
17 later than the 60th [~~90th~~] day after the date the comptroller
18 receives the application. The governing body shall provide to the
19 comptroller or to a third person contracted by the comptroller to
20 conduct the economic impact evaluation any requested
21 information. A methodology to allow comparisons of economic
22 impact for different schedules of the addition of qualified
23 investment or qualified property may be developed as part of the
24 economic impact evaluation. The governing body shall provide a
25 copy of the economic impact evaluation to the applicant on
26 request. The comptroller may charge the applicant a fee sufficient
27 to cover the costs of providing the economic impact
28 evaluation. The governing body of a school district shall approve
29 or disapprove an application not later than the 150th day after the

1 date the application is filed, unless the economic impact
2 evaluation has not been received, the recommendation of the Texas
3 Economic Development and Tourism Office or its successor under
4 Subsection (f-1), if applicable, has not been received, or an
5 extension is agreed to by the governing body and the applicant.

6 (d) Not later than the 60th [~~90th~~] day after the date the
7 comptroller receives the copy of the application, the comptroller
8 shall issue a certificate for a limitation on appraised value of the
9 property and provide the certificate to the governing body of the
10 school district or provide the governing body a written explanation
11 of the comptroller's decision not to issue a certificate.

12 (f-1) The governing body of a school district may request
13 that the Texas Economic Development and Tourism Office or its
14 successor submit a recommendation as to whether the new jobs
15 creation requirement in Section 313.021(2)(A)(iv)(b) or 313.051(b)
16 should be reduced or waived and, if reduced, the number of new jobs
17 that should be required to be created. If the governing body elects
18 to request that the office or its successor submit such a
19 recommendation, the governing body shall deliver a copy of the
20 application to the office or its successor and shall notify the
21 comptroller of the governing body's election. The comptroller shall
22 provide a copy of the economic impact evaluation to the office or
23 its successor. The recommendation of the office or its successor
24 shall be based on the economic impact evaluation and on any other
25 information available to the office or its successor, including
26 information provided by the governing body. The office or its
27 successor shall submit its recommendation to the governing body as
28 soon as practicable after receipt of the copy of the economic impact
29 evaluation but not later than the 30th day after the date the office
30 or its successor receives the copy of the economic impact
31 evaluation. The office or its successor may recommend waiving or

1 reducing [~~Notwithstanding any other provision of this chapter to~~
2 ~~the contrary, including Section 313.003(2) or 313.004(3)(A) or~~
3 ~~(B)(iii), the governing body of a school district may waive]~~ the new
4 jobs creation requirement only [~~in Section 313.021(2)(A)(iv)(b) or~~
5 ~~313.051(b) and approve an application]~~ if the office or its
6 successor determines [~~governing body makes a finding]~~ that the jobs
7 creation requirement exceeds the industry standard for the number
8 of employees reasonably necessary for the operation of the facility
9 of the property owner that is described in the application.
10 Notwithstanding any other provision of this chapter, the governing
11 body may waive or reduce the new jobs creation requirement, but only
12 if the office or its successor recommends waiving or reducing the
13 requirement and only to the extent recommended by the office or its
14 successor.

15 (b) Section 313.026(a), Tax Code, is amended to read as
16 follows:

17 (a) The economic impact evaluation of the application must
18 include any information the comptroller determines is necessary or
19 helpful to:

20 (1) the governing body of the school district in
21 determining whether to approve the application under Section
22 313.025; [~~or~~]

23 (2) the comptroller in determining whether to issue a
24 certificate for a limitation on appraised value of the property
25 under Section 313.025; or

26 (3) the Texas Economic Development and Tourism Office
27 or its successor in determining whether to recommend under Section
28 313.025 that the new jobs creation requirement be waived or
29 reduced, if such a recommendation is requested.

30 (c) Chapter 313, Tax Code, as amended by this section,
31 applies only to an application filed under that chapter on or after

1 the effective date of this section. An application filed under that
2 chapter before the effective date of this section is governed by the
3 law in effect on the date the application was filed, and the former
4 law is continued in effect for that purpose.

5 (d) This section takes effect January 1, 2016.