

By: Cook

H.B. No. 3732

Substitute the following for H.B. No. 3732:

By: Wray

C.S.H.B. No. 3732

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the eligibility of property used for a large-scale
3 electric energy storage facility for ad valorem tax benefits under
4 the Texas Economic Development Act.

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

6 SECTION 1. Section 313.024(b), Tax Code, is amended to read
7 as follows:

8 (b) To be eligible for a limitation on appraised value under
9 this subchapter, the entity must use the property for:

- 10 (1) manufacturing;
- 11 (2) research and development;
- 12 (3) a clean coal project, as defined by Section 5.001,
13 Water Code;
- 14 (4) an advanced clean energy project, as defined by
15 Section 382.003, Health and Safety Code;
- 16 (5) renewable energy electric generation;
- 17 (6) electric power generation using integrated
18 gasification combined cycle technology;
- 19 (7) nuclear electric power generation;
- 20 (8) a computer center primarily used in connection
21 with one or more activities described by Subdivisions (1) through
22 (7) conducted by the entity; ~~or~~
- 23 (9) a Texas priority project; or
- 24 (10) a large-scale electric energy storage facility.

1 SECTION 2. Section 313.024(e), Tax Code, is amended by
2 adding Subdivision (8) to read as follows:

3 (8) "Large-scale electric energy storage facility"
4 means a compressed air energy storage facility that qualifies as an
5 electric energy storage facility within the scope of Subchapter E,
6 Chapter 35, Utilities Code, and:

7 (A) has a rated capacity of not less than 250
8 megawatts;

9 (B) is capable of being economically dispatched
10 by the independent organization certified under Section 39.151,
11 Utilities Code, for the ERCOT power region; and

12 (C) is capable of producing over 5,000 megawatt
13 hours continuously without being recharged.

14 SECTION 3. The changes in law made by this Act apply only to
15 an agreement entered into under Chapter 313, Tax Code, on or after
16 the effective date of this Act. An agreement entered into under
17 that chapter before the effective date of this Act is governed by
18 the law in effect on the date the agreement was entered into, and
19 the former law is continued in effect for that purpose.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2015.