

By: Darby

H.B. No. 2281

Substitute the following for H.B. No. 2281:

By: Shine

C.S.H.B. No. 2281

A BILL TO BE ENTITLED

AN ACT

relating to the miscellaneous gross receipts tax on utility companies.

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

SECTION 1. Section 182.021(1), Tax Code, is amended to read as follows:

(1) "Utility company" means a person:

(A) who owns or operates a gas or water works, or water plant used for ~~local~~ sale and distribution ~~located~~ within an incorporated city or town in this state; or

(B) who owns or operates an electric light or electric power works, or light plant used for ~~local~~ sale and distribution ~~located~~ within an incorporated city or town in this state, or who is a retail electric provider, as that term is defined in Section 31.002, Utilities Code, that makes ~~local~~ sales within an incorporated city or town in this state; provided, however, that a person who owns an electric light or electric power or gas plant used for distribution but who does not make retail sales to the ultimate consumer within an incorporated city or town in this state is not included in this definition.

SECTION 2. Section 182.022(a), Tax Code, is amended to read as follows:

(a) A tax is imposed on each utility company that makes a sale to an ultimate consumer ~~located~~ in an incorporated city or

1 town having a population of more than 1,000, according to the last
2 federal census next preceding the filing of the report.

3 SECTION 3. The amendments made by this Act to Sections
4 182.021 and 182.022, Tax Code, are a clarification of existing law
5 and do not imply that existing law may be construed as inconsistent
6 with the law as amended by this Act.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.