

By: Button, Alvarado, Springer, Gooden,  
Murphy, et al.

H.B. No. 3172

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an electronic information and application system for state incentives for economic development purposes.

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

SECTION 1. Subtitle G, Title 10, Government Code, is amended by adding Chapter 2301 to read as follows:

CHAPTER 2301. ELECTRONIC ECONOMIC DEVELOPMENT INCENTIVES

INFORMATION AND APPLICATION SYSTEM

Sec. 2301.001. DEFINITIONS. In this chapter:

(1) "Department," "electronic government project," and "state electronic Internet portal" have the meanings assigned by Section 2054.003.

(2) "Monetary incentive" means a grant, loan, or other form of monetary incentive paid from state revenues, including a state trust fund, that a business entity or other person may receive in exchange for or as a result of conducting an activity with an economic development purpose.

(3) "State agency" means a department, commission, board, office, council, authority, or other state agency in the executive branch of state government.

(4) "Tax incentive" means any exemption, deduction, credit, exclusion, waiver, rebate, discount, deferral, or other abatement or reduction of state tax liability of a business entity

1 or other person that the person may receive in exchange for or as a  
2 result of conducting an activity with an economic development  
3 purpose.

4 Sec. 2301.002. ESTABLISHMENT OF PROJECT. The department  
5 shall establish an electronic government project to develop an  
6 Internet website accessible through the state electronic Internet  
7 portal that:

8 (1) provides a single location that a business entity  
9 considering relocating to or expanding in this state may use to  
10 receive information relating to state monetary and tax incentives  
11 for which the entity may be qualified;

12 (2) includes an interactive tool that allows a  
13 business entity to determine whether the entity may be eligible for  
14 any state monetary or tax incentive in this state;

15 (3) allows, when feasible, the business entity to fill  
16 out one application for all:

17 (A) state monetary incentives for which the  
18 entity may be eligible; and

19 (B) state tax incentives for which the entity may  
20 be eligible, other than a tax incentive for which the entity, or a  
21 transaction involving the entity, qualifies for by operation of  
22 law; and

23 (4) allows, when feasible, for the application to be  
24 submitted to each state agency that offers the monetary or tax  
25 incentive described by Subdivision (3).

26 Sec. 2301.003. ESTABLISHING AND OPERATING PROJECT;  
27 COORDINATION. In establishing and operating the electronic

1 government project under this chapter, the department, in  
2 coordination with the Texas Economic Development and Tourism  
3 Office, the Texas Workforce Commission, and the comptroller, shall  
4 direct, coordinate, and assist state agencies in establishing and  
5 using:

6 (1) a common electronic application and reporting  
7 system, including:

8 (A) a standard format for announcing monetary and  
9 tax incentive opportunities, including monetary and tax incentives  
10 from:

11 (i) the Texas Enterprise Fund under Section  
12 481.078;

13 (ii) the moving image industry incentive  
14 program under Subchapter B, Chapter 485; and

15 (iii) the skills development fund program  
16 under Chapter 303, Labor Code;

17 (B) standard data elements for use in creating  
18 monetary and tax incentive opportunity announcement summaries,  
19 including existing monetary and tax incentives and search  
20 functions; and

21 (C) a common application form for a person to use  
22 in applying for the following from multiple state agencies:

23 (i) all state monetary incentives for which  
24 the entity may be eligible; and

25 (ii) all state tax incentives for which the  
26 entity may be eligible, other than a tax incentive for which the  
27 entity, or a transaction involving the entity, qualifies for by

1 operation of law; and

2 (2) a process for:

3 (A) improving interagency coordination of  
4 information collection and sharing of data relating to monetary and  
5 tax incentives; and

6 (B) improving the timeliness, completeness, and  
7 quality of applications received by a state agency for monetary and  
8 tax incentives described by Subdivision (1).

9 SECTION 2. Section 303.005(a), Labor Code, is amended to  
10 read as follows:

11 (a) An employer may not apply both to a public community or  
12 technical college for customized training and assessment from the  
13 college through a grant issued to the college under the skills  
14 development fund program established under this chapter and for a  
15 grant under the Texas Enterprise Fund program established under  
16 Subchapter E, Chapter 481, Government Code, unless the employer and  
17 the college file an application for concurrent participation in  
18 both programs using a common electronic application under Section  
19 2301.003, Government Code [~~that complies with any rules adopted by~~  
20 ~~the Texas Workforce Commission on concurrent participation~~].

21 SECTION 3. This Act takes effect September 1, 2017.