

By: Lozano

H.J.R. No. 51

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the governing  
2 body of a political subdivision to exempt from ad valorem taxation  
3 mineral interests owned by nonprofit corporations organized for the  
4 exclusive purpose of generating income for certain charitable  
5 nonprofit corporations through the ownership, lease, and  
6 management of real property.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Article VIII, Texas Constitution, is amended by  
9 adding Section 1-r to read as follows:

10 Sec. 1-r. (a) The governing body of a political subdivision  
11 may exempt from ad valorem taxation a mineral interest owned by a  
12 nonprofit corporation if:

13 (1) the nonprofit corporation is organized for the  
14 exclusive purpose of generating income for a specific charitable  
15 nonprofit corporation through its ownership, lease, and management  
16 of real property, including buildings, land, and mineral interests;  
17 and

18 (2) the charitable nonprofit corporation:

19 (A) is organized exclusively to perform  
20 religious and charitable purposes;

21 (B) is engaged exclusively in providing housing,  
22 counseling, training, spiritual aid, and related services to  
23 children and families in need;

24 (C) does not charge a fee for the provision of a

1 service; and

2 (D) does not accept or receive money from a  
3 governmental entity.

4 (b) The legislature may impose additional eligibility  
5 requirements for an exemption authorized by this section.

6 SECTION 2. The following temporary provision is added to  
7 the Texas Constitution:

8 TEMPORARY PROVISION. (a) This temporary provision applies  
9 to the constitutional amendment proposed by the 85th Legislature,  
10 Regular Session, 2017, authorizing the governing body of a  
11 political subdivision to exempt from ad valorem taxation mineral  
12 interests owned by nonprofit corporations organized for the  
13 exclusive purpose of generating income for certain charitable  
14 nonprofit corporations through the ownership, lease, and  
15 management of real property.

16 (b) Section 1-r, Article VIII, of this constitution takes  
17 effect January 1, 2018, and applies only to a tax year beginning on  
18 or after that date.

19 (c) This temporary provision expires January 1, 2019.

20 SECTION 3. This proposed constitutional amendment shall be  
21 submitted to the voters at an election to be held November 7, 2017.  
22 The ballot shall be printed to permit voting for or against the  
23 proposition: "The constitutional amendment authorizing the  
24 governing body of a political subdivision to exempt from ad valorem  
25 taxation mineral interests owned by nonprofit corporations  
26 organized for the exclusive purpose of generating income for  
27 certain charitable nonprofit corporations through the ownership,

1 lease, and management of real property."