

By: Hall

S.B. No. 99

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the abolishment of the Music, Film, Television, and
3 Multimedia Office in the office of the governor and other
4 incentives for media productions.

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

6 SECTION 1. Section 444.030(b), Government Code, is amended
7 to read as follows:

8 (b) The commission shall enter into an agreement as required
9 by Subsection (a) with the:

10 (1) Texas [~~Central~~] Education Agency regarding the
11 arts in education program in the public schools; and

12 (2) office of the governor [~~Music, Film, Television,~~
13 ~~and Multimedia Office in the governor's office regarding work with~~
14 ~~the state's music and film industries, and~~

15 [~~(3) Texas Department of Commerce~~], Texas Department
16 of Transportation, and Parks and Wildlife Department regarding
17 state tourism promotion efforts.

18 SECTION 2. Section 2155.444(h), Government Code, is amended
19 to read as follows:

20 (h) The [~~Music, Film, Television, and Multimedia Office~~
21 ~~within the~~] office of the governor has exclusive rulemaking
22 authority for purposes of:

23 (1) determining whether an advertising campaign is
24 subject to the requirements of this section;

1 (2) establishing a bid process for purposes of the
2 services described by Subsection (f); and

3 (3) establishing criteria to determine whether a
4 commercial production company or advertising agency is located in
5 this state for the purposes of this section.

6 SECTION 3. Section 2165.008(a)(1), Government Code, is
7 amended to read as follows:

8 (1) "Office" means the office of the governor [~~Music,~~
9 ~~Film, Television, and Multimedia Office~~].

10 SECTION 4. Section 151.317(a), Tax Code, is amended to read
11 as follows:

12 (a) Subject to Sections 151.1551, 151.359, and 151.3595 and
13 Subsection (d) of this section, gas and electricity are exempted
14 from the taxes imposed by this chapter when sold for:

15 (1) residential use;

16 (2) use in powering equipment exempt under Section
17 151.318 [~~or 151.3185~~] by a person processing tangible personal
18 property for sale as tangible personal property, other than
19 preparation or storage of prepared food described by Section
20 151.314(c-2);

21 (3) use in lighting, cooling, and heating in the
22 manufacturing area during the actual manufacturing or processing of
23 tangible personal property for sale as tangible personal property,
24 other than preparation or storage of prepared food described by
25 Section 151.314(c-2);

26 (4) use directly in exploring for, producing, or
27 transporting, a material extracted from the earth;

1 (5) use in agriculture, including dairy or poultry
2 operations and pumping for farm or ranch irrigation;

3 (6) use directly in electrical processes, such as
4 electroplating, electrolysis, and cathodic protection;

5 (7) use directly in the off-wing processing, overhaul,
6 or repair of a jet turbine engine or its parts for a certificated or
7 licensed carrier of persons or property;

8 (8) use directly in providing, under contracts with or
9 on behalf of the United States government or foreign governments,
10 defense or national security-related electronics, classified
11 intelligence data processing and handling systems, or
12 defense-related platform modifications or upgrades;

13 (9) use directly by a data center or large data center
14 project that is certified by the comptroller as a qualifying data
15 center under Section 151.359 or a qualifying large data center
16 project under Section 151.3595 in the processing, storage, and
17 distribution of data;

18 (10) a direct or indirect use, consumption, or loss of
19 electricity by an electric utility engaged in the purchase of
20 electricity for resale; or

21 (11) use in timber operations, including pumping for
22 irrigation of timberland.

23 SECTION 5. Section 504.639(b), Transportation Code, is
24 amended to read as follows:

25 (b) After deduction of the department's administrative
26 costs, the remainder of the fee for issuance of the license plates
27 shall be deposited to the credit of the general revenue fund [~~Texas~~

1 ~~Music Foundation account established by Section 7.027, Education~~
2 ~~Code].~~

3 SECTION 6. The following statutes are repealed:

- 4 (1) Section 7.027, Education Code;
- 5 (2) Section 403.029, Government Code;
- 6 (3) Chapters 485 and 485A, Government Code; and
- 7 (4) Sections 151.3185 and 151.3415, Tax Code.

8 SECTION 7. (a) The Music, Film, Television, and Multimedia
9 Office in the office of the governor is abolished.

10 (b) All records and other property in the custody of the
11 Music, Film, Television, and Multimedia Office are transferred to
12 the office of the governor.

13 (c) All unobligated and unexpended appropriations of the
14 Music, Film, Television, and Multimedia Office lapse.

15 (d) All donations, gifts, and grants made to the Music,
16 Film, Television, and Multimedia Office shall be transferred to the
17 office of the governor to be used for purposes consistent with the
18 mission of the Music, Film, Television, and Multimedia Office.

19 SECTION 8. The changes in law made by this Act to Sections
20 151.317, 151.3185, and 151.3415, Tax Code, do not affect tax
21 liability accruing before the effective date of this Act. That
22 liability continues in effect as if this Act had not been enacted,
23 and the former law is continued in effect for the collection of
24 taxes due and for civil and criminal enforcement of the liability
25 for those taxes.

26 SECTION 9. This Act takes effect September 1, 2017.