

## **RESOLUTION ANALYSIS**

C.S.H.J.R. 95  
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Ways & Means  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that while precious metals not held for the production of income are exempted from property taxation, the ability exists for a taxing jurisdiction to rescind that exemption, by resolution or order, which could create uncertainty as to the taxability of precious metals stored in commercial depositories in Texas. Furthermore, it has been suggested that metals held for the production of income are currently taxable in Texas, placing the state at a competitive disadvantage as other states exempt such metals from property taxation. C.S.H.J.R. 95 seeks to address this issue by authorizing the legislature to exempt from property taxation precious metals held in a depository located in Texas.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.J.R. 95 proposes an amendment to the Texas Constitution to authorize the legislature to exempt from property taxation precious metal held in a precious metal depository located in Texas and to define "precious metal" and "precious metal depository."

### **ELECTION DATE**

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held on November 5, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.J.R. 95 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an authorization for the legislature to define "precious metal" and "precious metal depository."

The substitute changes the resolution's election date.