

By: Powell

S.B. No. 1295

A BILL TO BE ENTITLED

AN ACT

relating to the inclusion of water filling stations in the sales and use tax exemption for water-efficient products.

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

SECTION 1. Section 151.3335, Tax Code, is amended to read as follows:

Sec. 151.3335. WATER-EFFICIENT PRODUCTS. (a) In this section:

(1) "Water-conserving product":

(A) means tangible personal property that:

(i) is used on private residential property and is not used for business or trade; and

(ii) when used or planted in an outdoor residential property, may result in:

(a) water conservation or groundwater retention;

(b) water table recharge; or

(c) a decrease in ambient air temperature that limits water evaporation; and

(B) includes:

(i) a soaker or drip-irrigation hose;

(ii) a moisture control for a sprinkler or irrigation system;

(iii) mulch;

1 (iv) a rain barrel or an alternative rain
2 and moisture collection system; and

3 (v) a permeable ground cover surface that
4 allows water to reach underground basins, aquifers, or water
5 collection points.

6 (2) "Water filling station" means tangible personal
7 property that dispenses potable water for the purpose of refilling
8 individual water bottles or similar drinking containers.

9 (3) "WaterSense product" means a product that has been
10 designated as a WaterSense certified product under the WaterSense
11 program operated by the United States Environmental Protection
12 Agency, or a similar successor program.

13 (b) The sale of a water-conserving product, water filling
14 station, or WaterSense product is exempted from the taxes imposed
15 by this chapter if the sale takes place during the period described
16 by Section 151.333(c).

17 SECTION 2. The change in law made by this Act does not
18 affect taxes imposed before the effective date of this Act, and the
19 law in effect before the effective date of this Act is continued in
20 effect for purposes of the liability for and collection of those
21 taxes.

22 SECTION 3. This Act takes effect September 1, 2019.