

By: Talarico

H.B. No. 4260

A BILL TO BE ENTITLED

AN ACT

relating to the location where certain sales are consummated for the purpose of municipal sales and use taxes.

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

SECTION 1. Section 321.203, Tax Code, is amended by adding Subsection (p) to read as follows:

(p) Notwithstanding any other law, a location that under the law in effect on August 31, 2019, was a place of business of the retailer for purposes of an economic development agreement under Chapter 380, 504, or 505, Local Government Code, entered into by a retailer and a municipality on or before August 31, 2019, remains a place of business of the retailer for the term of the agreement. During the term of the agreement, the sale of a taxable item is consummated at that place of business if the sale would have been consummated at that place of business under the law in effect on August 31, 2019.

SECTION 2. The comptroller of public accounts shall adopt rules implementing Section 321.203(p), Tax Code, as added by this Act, not later than October 1, 2021.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.