

By: Lucio

S.B. No. 1315

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the determination that certain property is used as an  
3 aid or facility incidental to or useful in the operation or  
4 development of a port or waterway or in aid of navigation-related  
5 commerce for purposes of the application of certain ad valorem tax  
6 laws.

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

8 SECTION 1. Section 25.07, Tax Code, is amended by adding  
9 Subsections (d) and (e) to read as follows:

10 (d) For purposes of Subsection (b)(6)(B) of this section,  
11 property is used as an aid or facility incidental to or useful in  
12 the operation or development of a port or waterway or in aid of  
13 navigation-related commerce if the property:

14 (1) is leased to a person:

15 (A) engaged in the business of  
16 navigation-related commerce; or

17 (B) for a purpose described by Section 60.101,  
18 61.162, or 63.153, Water Code, or for the placement on the property  
19 of an improvement described by those sections;

20 (2) is located:

21 (A) adjacent to a federal navigation project; or

22 (B) in a foreign trade zone established and  
23 operated under federal law; or

24 (3) includes part of a rail facility that serves the

1 tenants and users of the port or waterway.

2 (e) In this section, "navigation-related commerce" includes  
3 the following if engaged in by a person:

4 (1) an activity that requires the person to hold a  
5 maritime-related license or permit issued by a navigation district,  
6 including providing stevedoring, steamship agency, towing,  
7 tugboat, or line handling services;

8 (2) an activity that requires the person to hold a  
9 franchise issued by a navigation district;

10 (3) possessing a leasehold interest in property owned  
11 by a navigation district that connects infrastructure to a public  
12 dock;

13 (4) hauling cargo into or across a public dock;

14 (5) commercial fishing;

15 (6) constructing, fabricating, cleaning, repairing,  
16 dismantling, or recycling vessels;

17 (7) pilotage; or

18 (8) an activity described by Section 60.101, 61.162,  
19 or 63.153, Water Code.

20 SECTION 2. This Act applies only to the taxation of property  
21 for a tax year beginning on or after the effective date of this Act.

22 SECTION 3. This Act takes effect September 1, 2021.