

AN ACT

relating to a deduction from the amount of taxable sales used to calculate the amount of sales and use taxes that the owners of restaurants that purchase Texas farm-raised oysters are required to remit to the comptroller of public accounts.

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

SECTION 1. Subchapter I, Chapter 151, Tax Code, is amended by adding Section 151.433 to read as follows:

Sec. 151.433. DEDUCTION FOR CERTAIN TAXPAYERS PURCHASING TEXAS FARM-RAISED OYSTERS. (a) In this section:

(1) "Food service establishment" has the meaning assigned by Section 437.001, Health and Safety Code.

(2) "Texas farm-raised oyster" means an oyster cultivated in the waters of this state in accordance with all applicable state and federal regulations.

(b) A taxpayer may deduct from the taxpayer's taxable sales for the year, quarter, or month in which the sale is reported the amount determined under Subsection (c) if the taxpayer owns a food service establishment and purchases Texas farm-raised oysters to be prepared and served at the establishment.

(c) A taxpayer may deduct from the taxpayer's taxable sales for a year, quarter, or month for each food service establishment for which a permit has been issued to the taxpayer under this chapter the amount equal to \$5 for every 100 Texas farm-raised

1 oysters purchased for preparation and service at the food service
2 establishment during the year, quarter, or month, as applicable.

3 (d) The comptroller may require a taxpayer to provide any
4 information the comptroller determines is reasonably necessary to
5 determine the accuracy of the amount deducted by the taxpayer under
6 this section.

7 (e) The comptroller may adopt rules necessary to implement
8 and administer this section.

9 SECTION 2. The change in law made by this Act does not
10 affect tax liability accruing before the effective date of this
11 Act. That liability continues in effect as if this Act had not been
12 enacted, and the former law is continued in effect for the
13 collection of taxes due and for civil and criminal enforcement of
14 the liability for those taxes.

15 SECTION 3. This Act takes effect October 1, 2025.

H.B. No. 3486

President of the Senate

Speaker of the House

I certify that H.B. No. 3486 was passed by the House on May 8, 2025, by the following vote: Yeas 131, Nays 11, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3486 on May 28, 2025, by the following vote: Yeas 114, Nays 21, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3486 was passed by the Senate, with amendments, on May 23, 2025, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____

Date

Governor