

By: Perry, et al.

S.B. No. 2064

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from certain taxes imposed on the transfer of a motor vehicle to a person from a decedent or the decedent's estate.

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

SECTION 1. Section 152.025(a), Tax Code, is amended to read as follows:

(a) A tax is imposed on the recipient of a gift of a motor vehicle. This section applies only if the person receiving the motor vehicle:

(1) receives the vehicle from:

(A) the person's:

(i) spouse;

(ii) parent or stepparent;

(iii) grandparent or grandchild;

(iv) child or stepchild;

(v) sibling; or

(vi) guardian;

(B) ~~[a decedent's estate,~~

~~[(C)]~~ a trust subject to the Texas Trust Code (Subtitle B, Title 9, Property Code) that was revocable by a decedent or that was jointly revocable by a decedent and the decedent's spouse; or

(C) ~~[(D)]~~ a trust subject to the Texas Trust Code

1 that is revocable by the person receiving the motor vehicle or that
2 is jointly revocable by the recipient and the recipient's spouse;

3 (2) is a trust subject to the Texas Trust Code that is
4 revocable by the transferor of the motor vehicle or that is jointly
5 revocable by the transferor and the transferor's spouse; or

6 (3) is exempt from federal income taxation under
7 Section 501(a), Internal Revenue Code of 1986, by being listed as an
8 exempt organization under Section 501(c)(3) of that code, and the
9 vehicle will be used for the purposes of the organization.

10 SECTION 2. Section 152.062(b-2), Tax Code, is amended to
11 read as follows:

12 (b-2) A joint statement required by Subsection (b)(3) that
13 relates to a gift from a person ~~[or estate]~~ described by Section
14 152.025(a)(1) must be filed in person by the recipient of the gift
15 or, as applicable, the person from whom the gift is received ~~[or a~~
16 ~~person authorized to act on behalf of the estate from which the gift~~
17 ~~is received]~~. A motor vehicle title service required to be licensed
18 under Chapter 520, Transportation Code, may not be used to file the
19 statement. The person who files the statement must present to the
20 tax assessor-collector an unexpired identification document issued
21 to the person that bears the person's photograph and is:

22 (1) a driver's license or personal identification card
23 issued by this state or another state of the United States;

24 (2) an original United States passport or an original
25 passport issued by a foreign country;

26 (3) an identification card or similar form of
27 identification issued by the Texas Department of Criminal Justice;

(4) a United States military identification card; or

(5) an identification card or document issued by the United States Department of Homeland Security or United States Citizenship and Immigration Services.

SECTION 3. Subchapter E, Chapter 152, Tax Code, is amended by adding Section 152.094 to read as follows:

Sec. 152.094. MOTOR VEHICLE TRANSFERRED FROM DECEDENT. (a) In this section:

(1) "Distributee" has the meaning assigned by Section 22.010, Estates Code.

(2) "Estate" has the meaning assigned by Section 22.012, Estates Code.

(b) The taxes imposed by this chapter do not apply to the transfer of a motor vehicle:

(1) from an estate to a distributee; or

(2) under a rights of survivorship agreement described by Section 501.031, Transportation Code.

SECTION 4. This Act applies only to a transfer of a motor vehicle that occurs on or after the effective date of this Act.

SECTION 5. This Act takes effect September 1, 2025.