

By: Murphy

H.B. No. 2826

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the eligibility of property located in more than one
3 school district for a limitation on appraised value for school
4 district maintenance and operations ad valorem tax purposes under
5 the Texas Economic Development Act.

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

7 SECTION 1. Subchapter B, Chapter 313, Tax Code, is amended
8 by adding Section 313.0255 to read as follows:

9 Sec. 313.0255. PROJECT LOCATED IN MORE THAN ONE SCHOOL
10 DISTRICT. (a) This section applies only to a single unified project
11 that is located in more than one school district, each of which is
12 contiguous to another school district in which the project is
13 located and at least one of which is a school district to which this
14 subchapter applies.

15 (b) Except as otherwise provided by this section, the
16 provisions of this subchapter applicable to a project that is
17 located in only one school district apply to a project to which this
18 section applies, including the provisions governing the
19 application and approval process.

20 (c) For purposes of determining the required minimum amount
21 of a qualified investment under Section 313.021(2)(A)(iv)(a) and
22 the minimum amount of a limitation on appraised value under Section
23 313.027(b), a project is considered to be located in the school
24 district in which the project is located that has the highest

1 taxable value of property for the preceding tax year determined
2 under Subchapter M, Chapter 403, Government Code.

3 (d) The minimum amount of the limitation on appraised value
4 to which a school district may agree under Section 313.027(b) is
5 equal to the amount specified by that subsection for the applicable
6 category of school district as determined in accordance with
7 Subsection (c) of this section multiplied by a fraction the
8 numerator of which is the amount of qualified investment made in the
9 school district in connection with the project and the denominator
10 of which is the total amount of qualified investment made in
11 connection with the project in each school district in which the
12 project is located.

13 (e) In determining whether property on which a project is
14 located meets the requirements of Section 313.024 for eligibility
15 for a limitation on appraised value under this subchapter, the
16 comptroller shall consider whether the project as a whole would
17 meet those requirements were the project located in a single school
18 district.

19 SECTION 2. Subchapter C, Chapter 313, Tax Code, is amended
20 by adding Section 313.055 to read as follows:

21 Sec. 313.055. PROJECT LOCATED IN MORE THAN ONE SCHOOL
22 DISTRICT. Section 313.0255 applies to a project located in more
23 than one school district each of which is a school district to which
24 this subchapter applies in the same manner as that section applies
25 to a project located in more than one school district at least one
26 of which is a school district to which Subchapter B applies, except
27 that for purposes of Section 313.0255(c) the project is considered

1 to be located in the school district that has the highest taxable
2 value of industrial property for the preceding tax year determined
3 under Subchapter M, Chapter 403, Government Code.

4 SECTION 3. This Act applies only to an application filed
5 under Chapter 313, Tax Code, on or after the effective date of this
6 Act. An application filed under that chapter before the effective
7 date of this Act is governed by the law in effect on the date the
8 application was filed, and the former law is continued in effect for
9 that purpose.

10 SECTION 4. This Act takes effect September 1, 2015.