

1-1 By: Parker, Fallon (Senate Sponsor - Bettencourt) H.B. No. 2896
 1-2 (In the Senate - Received from the House May 11, 2015;
 1-3 May 12, 2015, read first time and referred to Committee on Finance;
 1-4 May 22, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 12, Nays 0; May 22, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			
1-18			X	
1-19	X			
1-20	X			
1-21	X			
1-22	X			
1-23			X	

1-24 COMMITTEE SUBSTITUTE FOR H.B. No. 2896 By: Uresti

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to apportionment of certain receipts of a broadcaster
 1-28 under the franchise tax.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Section 171.106, Tax Code, is amended by adding
 1-31 Subsection (h) to read as follows:

1-32 (h) A taxable entity that is a broadcaster shall include in
 1-33 the numerator of the broadcaster's apportionment factor receipts
 1-34 arising from licensing income from broadcasting or otherwise
 1-35 distributing film programming by any means only if the legal
 1-36 domicile of the broadcaster's customer is in this state. In this
 1-37 subsection:

1-38 (1) "Broadcaster" means a taxable entity, not
 1-39 including a cable service provider or a direct broadcast satellite
 1-40 service, that is a:

1-41 (A) television station licensed by the Federal
 1-42 Communications Commission;

1-43 (B) television broadcast network;

1-44 (C) cable television network; or

1-45 (D) television distribution company.

1-46 (2) "Customer" means a person, including a licensee,
 1-47 that has a direct connection or contractual relationship with a
 1-48 broadcaster under which the broadcaster derives revenue.

1-49 (3) "Film programming" means all or part of a live or
 1-50 recorded performance, event, or production intended to be
 1-51 distributed for visual and auditory perception by an audience.

1-52 (4) "Programming" includes news, entertainment,
 1-53 sporting events, plays, stories, or other literary, commercial,
 1-54 educational, or artistic works.

1-55 SECTION 2. This Act applies only to a report originally due
 1-56 on or after the effective date of this Act.

1-57 SECTION 3. This Act takes effect January 1, 2018.

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