

1-1 By: Perry, Creighton S.B. No. 757
 1-2 (In the Senate - Filed February 25, 2015; February 25, 2015,
 1-3 read first time and referred to Committee on Finance;
 1-4 March 17, 2015, reported favorably by the following vote: Yeas 12,
 1-5 Nays 2; March 17, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Hinojosa	X			
1-9 Bettencourt	X			
1-10 Eltife	X			
1-11 Hancock	X			
1-12 Huffman	X			
1-13 Kolthorst	X			
1-14 Nichols	X			
1-15 Schwertner	X			
1-16 Seliger		X		
1-17 Taylor of Galveston	X			
1-18 Uresti	X			
1-19 Watson	X			
1-20 West		X		
1-21 Whitmire			X	

1-23 A BILL TO BE ENTITLED
 1-24 AN ACT

1-25 relating to the repeal of the production taxes on crude petroleum
 1-26 and sulphur.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. The following provisions are repealed:

1-29 (1) Sections 81.111, 81.112, 81.113, and 81.114,
 1-30 Natural Resources Code; and

1-31 (2) Chapter 203, Tax Code.

1-32 SECTION 2. Section 355.102(f), Estates Code, is amended to
 1-33 read as follows:

1-34 (f) Class 5 claims are composed of claims for taxes,
 1-35 penalties, and interest due under Title 2, Tax Code, Chapter 2153,
 1-36 Occupations Code, former Section 81.111, Natural Resources Code,
 1-37 the Municipal Sales and Use Tax Act (Chapter 321, Tax Code), Section
 1-38 451.404, Transportation Code, or Subchapter I, Chapter 452,
 1-39 Transportation Code.

1-40 SECTION 3. Section 81.018(a), Natural Resources Code, is
 1-41 amended to read as follows:

1-42 (a) Salaries and other expenses necessary in the
 1-43 administration and enforcement of the oil and gas laws shall be paid
 1-44 by warrants drawn by the comptroller on the State Treasury from
 1-45 general revenue [~~funds provided under Section 81.112 of this code~~].

1-46 SECTION 4. The heading to Subchapter E, Chapter 81, Natural
 1-47 Resources Code, is amended to read as follows:

1-48 SUBCHAPTER E. FEES [~~TAX~~]

1-49 SECTION 5. Section 81.116(b), Natural Resources Code, is
 1-50 amended to read as follows:

1-51 (b) The fee is in addition to, and independent of any
 1-52 liability for, the tax [~~taxes~~] imposed under [~~Section 81.111 of~~
 1-53 ~~this code and~~] Chapter 202, Tax Code.

1-54 SECTION 6. Section 112.155(a), Tax Code, is amended to read
 1-55 as follows:

1-56 (a) The amount of a judgment for the plaintiff shall be
 1-57 credited against any tax, penalty, or interest imposed by this
 1-58 title [~~or by Section 81.111, Natural Resources Code,~~] and due from
 1-59 the plaintiff.

1-60 SECTION 7. Section 151.308, Tax Code, is amended to read as
 1-61 follows:

2-1 Sec. 151.308. ITEMS TAXED BY OTHER LAW. (a) The following
2-2 are exempted from the taxes imposed by this chapter:
2-3 (1) oil as taxed by Chapter 202;
2-4 (2) [~~sulphur as taxed by Chapter 203,~~
2-5 [~~(3)~~] motor fuels and special fuels as defined, taxed,
2-6 or exempted by Chapter 162;
2-7 (3) [~~(4)~~] cement as taxed by Chapter 181;
2-8 (4) [~~(5)~~] motor vehicles, trailers, and semitrailers
2-9 as defined, taxed, or exempted by Chapter 152, other than a mobile
2-10 office or an oilfield portable unit, as those terms are defined by
2-11 Section 152.001;
2-12 (5) [~~(6)~~] mixed beverages, ice, or nonalcoholic
2-13 beverages and the preparation or service of these items if the
2-14 receipts are taxable by Subchapter B, Chapter 183, or the items are
2-15 taxable by Subchapter B-1, Chapter 183;
2-16 (6) [~~(7)~~] alcoholic beverages when sold to the holder
2-17 of a private club registration permit or to the agent or employee of
2-18 the holder of a private club registration permit if the holder or
2-19 agent or employee is acting as the agent of the members of the club
2-20 and if the beverages are to be served on the premises of the club;
2-21 (7) [~~(8)~~] oil well service as taxed by Subchapter E,
2-22 Chapter 191; and
2-23 (8) [~~(9)~~] insurance premiums subject to gross
2-24 premiums taxes.
2-25 (b) Natural gas is exempted under Subsection (a)(2)
2-26 [~~(a)(3)~~] only to the extent that the gas is taxed as a motor fuel
2-27 under Chapter 162.
2-28 SECTION 8. Subchapter H, Chapter 151, Tax Code, is amended
2-29 by adding Section 151.3171 to read as follows:
2-30 Sec. 151.3171. SULPHUR. Sulphur is exempted from the taxes
2-31 imposed by this chapter.
2-32 SECTION 9. The change in law made by this Act does not
2-33 affect tax liability accruing before the effective date of this
2-34 Act. That liability continues in effect as if this Act had not been
2-35 enacted, and the former law is continued in effect for the
2-36 collection of taxes due and for civil and criminal enforcement of
2-37 the liability for those taxes.
2-38 SECTION 10. This Act takes effect September 1, 2015.

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