

By: Harper-Brown

H.J.R. No. 133

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize a political
2 subdivision of this state to extend the number of days that certain
3 tangible personal property that is exempt from ad valorem taxation
4 due to its location in this state for a temporary period may be
5 located in this state for purposes of qualifying for the tax
6 exemption.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Section 1-j, Article VIII, Texas Constitution,
9 is amended by amending Subsection (a) and adding Subsection (d) to
10 read as follows:

11 (a) To promote economic development in the State, goods,
12 wares, merchandise, other tangible personal property, and ores,
13 other than oil, natural gas, and other petroleum products, are
14 exempt from ad valorem taxation by a political subdivision of this
15 State if:

16 (1) the property is acquired in or imported into this
17 State to be forwarded outside this State, whether or not the
18 intention to forward the property outside this State is formed or
19 the destination to which the property is forwarded is specified
20 when the property is acquired in or imported into this State;

21 (2) the property is detained in this State for
22 assembling, storing, manufacturing, processing, or fabricating
23 purposes by the person who acquired or imported the property; and

24 (3) the property is transported outside of this State

1 not later than:

2 (A) 175 days after the date the person acquired
3 or imported the property in this State; or

4 (B) a later date established by the governing
5 body of the political subdivision under Subsection (d) of this
6 section.

7 (d) The governing body of a political subdivision, in the
8 manner provided by law for official action, may extend the date by
9 which property exempted from ad valorem taxation under this section
10 must be transported outside the State to a date not later than the
11 730th day after the date the person acquired or imported the
12 property in this State. An extension adopted by official action
13 under this subsection applies only to the exemption from ad valorem
14 taxation by the political subdivision adopting the extension. The
15 legislature by general law may provide the manner by which the
16 governing body may extend the period of time as authorized by this
17 subsection.

18 SECTION 2. Section 1-n, Article VIII, Texas Constitution,
19 as proposed by S.J.R. 6, 77th Legislature, Regular Session, 2001,
20 is amended by amending Subsection (a) and adding Subsection (f) to
21 read as follows:

22 (a) To promote economic development in this state, the
23 legislature by general law may exempt from ad valorem taxation by a
24 political subdivision of this state goods, wares, merchandise,
25 other tangible personal property, and ores, other than oil, natural
26 gas, and other petroleum products, if:

27 (1) the property is acquired in or imported into this

1 state to be forwarded to another location in this state or outside
2 this state, whether or not the intention to forward the property to
3 another location in this state or outside this state is formed or
4 the destination to which the property is forwarded is specified
5 when the property is acquired in or imported into this state;

6 (2) the property is detained at a location in this
7 state that is not owned or under the control of the property owner
8 for assembling, storing, manufacturing, processing, or fabricating
9 purposes by the person who acquired or imported the property; and

10 (3) the property is transported to another location in
11 this state or outside this state not later than:

12 (A) 270 days after the date the person acquired
13 the property in or imported the property into this state; or

14 (B) a later date established by the governing
15 body of the political subdivision under Subsection (f) of this
16 section.

17 (f) The governing body of a political subdivision, in the
18 manner provided by law for official action, may extend the date by
19 which property exempted from ad valorem taxation under this section
20 must be transported outside the state to a date not later than the
21 730th day after the date the person acquired the property in or
22 imported the property into this state. An extension adopted by
23 official action under this subsection applies only to the exemption
24 from ad valorem taxation by the political subdivision adopting the
25 extension. The legislature by general law may provide the manner by
26 which the governing body may extend the period of time as authorized
27 by this subsection.

1 SECTION 3. The following temporary provision is added to
2 the Texas Constitution:

3 TEMPORARY PROVISION. (a) This temporary provision applies
4 to the constitutional amendment proposed by the 83rd Legislature,
5 Regular Session, 2013, to authorize a political subdivision of this
6 state to extend the number of days that certain tangible personal
7 property that is exempt from ad valorem taxation due to its location
8 in this state for a temporary period may be located in this state
9 for purposes of qualifying for the tax exemption.

10 (b) The amendments to Sections 1-j(a) and 1-n(a), Article
11 VIII, of this constitution and the addition of Sections 1-j(d) and
12 1-n(f), Article VIII, to this constitution take effect January 1,
13 2014, and apply only to a tax year that begins on or after that date.

14 (c) This temporary provision expires January 1, 2015.

15 SECTION 4. This proposed constitutional amendment shall be
16 submitted to the voters at an election to be held November 5, 2013.
17 The ballot shall be printed to permit voting for or against the
18 proposition: "The constitutional amendment to authorize a
19 political subdivision of this state to extend the number of days
20 that certain tangible personal property that is exempt from ad
21 valorem taxation due to its location in this state for a temporary
22 period may be located in this state for purposes of qualifying for
23 the tax exemption."