

Amend CSHB 31 (house committee printing) as follows:

(1) On page 1, line 6, strike "5.95" and substitute "the lower of 5.95".

(2) On page 1, line 7, between "sold" and the period, insert "or the rate adopted under Section 151.0511".

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 151, Tax Code, is amended by adding Section 151.0511 to read as follows:

Sec. 151.0511. COMPTROLLER TAX RATE ADJUSTMENT. (a) On the date the comptroller makes the transfer of any unencumbered positive balance of general revenues from a preceding biennium to the economic stabilization fund as described by Section 49-g(b), Article III, Texas Constitution, the comptroller shall:

(1) identify an amount of money equal to 25 percent of those unencumbered general revenues that are not transferred under that subsection;

(2) estimate the amount of revenue attributable to the taxes imposed under Sections 151.051 and 151.101 that would be received by the comptroller during the current state fiscal biennium if the taxes were imposed at the rate in effect on the date the estimate is made; and

(3) subtract the amount of money identified under Subdivision (1) from the amount of revenue estimated under Subdivision (2).

(b) If the amount of money determined under Subsection (a)(3) is greater than zero, the comptroller shall determine the rate for purposes of Sections 151.051 and 151.101 that, if applied beginning January 1 of the current state fiscal biennium, is estimated to generate the amount of money determined by the comptroller under Subsection (a)(3) for that biennium.

(c) Not later than December 15 of each odd-numbered year, the comptroller shall:

(1) adopt the adjusted tax rate determined under Subsection (b);

(2) publish notice of the adjusted tax rate in the Texas Register; and

(3) provide any other notice relating to the adjusted tax rate that the comptroller considers appropriate.

(d) The adjusted tax rate adopted by the comptroller under this section is effective on January 1 of the even-numbered year following the date the rate is adopted.

(e) In a state fiscal year in which the amount of money determined under Subsection (a)(3) is zero or less, the comptroller shall adopt an adjusted tax rate of zero percent.

(f) An action taken by the comptroller under this section is final and may not be appealed.

(g) The comptroller shall adopt rules to implement this section.