

BILL ANALYSIS

Senate Research Center

H.J.R. 44
By: Flores (Sponsor Unknown)
Finance
5/11/2001
Engrossed

DIGEST AND PURPOSE

A travel trailer is a house trailer-type vehicle or a camper trailer, regardless of whether the vehicle is affixed to real property, that is less than eight feet in width or 40 feet in length, exclusive of any hitch installed on the vehicle and that is designed primarily for use as temporary living quarters in connection with recreational, camping, travel, or seasonal use and not as a permanent dwelling. Travel trailers are subject to a sales tax, but were not subject to real property taxes until two recent opinions (JC-0150 and JC-0282) by the Attorney General of Texas regarding ad valorem taxation on travel trailers. There is concern that this may constitute double taxation on travel trailers. H.J.R. 44 provides that appropriately registered travel trailers that are not held or used for the production of income are exempt from ad valorem taxation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1, Article VIII, Texas Constitution, by amending Subsection (d) and adding Subsections (j) and (j-1), as follows:

(d) Adds a reference to Subsection (j).

(j) Authorizes the legislature by general law to authorize a taxing unit, other than a school district, to exempt from ad valorem taxation by the taxing unit, a travel trailer, as defined by the legislature, regardless of whether the travel trailer is real or personal property, that meets certain requirements.

(j-1) Provides that Subsection (j) of this section and this subsection take effect January 1, 2002. Provides that this subsection expires January 1, 2004.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2001. Requires the ballot to be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to authorize taxing units other than school districts to exempt from ad valorem taxation travel trailers that are not held or used for the production of income."