

BILL ANALYSIS

Senate Research Center
80R2836 JPL-F

S.J.R. 31
By: Williams
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 79th Legislature, H.B. 809 clarified that rendition requirements passed in the previous legislative session did not impose a requirement on individuals to render their personal automobiles that are used both for personal and business purposes. A number of appraisal districts continue to tax mixed-use vehicles because the Texas Constitution does not specifically exempt business personal property from taxation.

As proposed, S.J.R. 31 amends the Texas Constitution to exempt personally-owned vehicles used both for personal and business purposes 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(d), Article VIII, Texas Constitution, as follows:

(4) Authorizes the legislature by general law to exempt from ad valorem taxation, subject to Subsection (e) of this section, one or more passenger cars or light trucks, as defined by the legislature, owned and used by an individual in the course of the individual's occupation or profession that are also used for personal activities of the owner that do not involve the production of income.

SECTION 2. Amends the Texas Constitution by adding the following temporary provision:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendments proposed by the 80th Legislature, Regular Session, 2007, to authorize the legislature to exempt from ad valorem taxation one or more passenger cars or light trucks owned by an individual and used in the course of the owner's occupation or profession and also for person activities of the owner and expires January 1, 2009.

(b) Effective date: date of the official canvass of returns showing adoption of the amendment. Makes the application of this constitutional amendment to the tax year that begins January 1, 2007. Authorizes the legislature to enact a general law authorized by the constitutional amendment that applies to the entire 2007 tax year, notwithstanding that the constitutional amendment was adopted after the beginning of that tax year, and provides that a general law applicable to the entire 2007 tax year is not considered to be a retroactive law.

SECTION 3. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.