

BILL ANALYSIS

Senate Research Center
82R21130 CJC-D

S.J.R. 53
By: Ellis
Finance
4/30/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This proposed constitutional amendment requires the legislature to provide for a periodic review of state and local tax preferences; requires that any new tax preferences that take effect on or after September 1, 2012; and expires six years after the date the tax preference takes effect, except that the legislature may provide for an earlier or later expiration date.

S.J.R. 53 proposes a constitutional amendment requiring the periodic review of state and local tax preferences and providing an expiration date for certain tax preferences.

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 Article VIII, Texas Constitution, by adding Section 28, as follows:

Sec. 28. (a) Requires the legislature by general law to require the periodic review of state and local tax preferences; define the term "tax preference" for the purposes of this section; and prescribe the methods, timing, and administrative procedures for implementing the requirements of this subsection.

(b) Provides that a tax preference that takes effect on or after September 1, 2012, expires six years after the date the tax preference takes effect, except that the legislature may provide for an earlier or later expiration date.

SECTION 2. Provides that the following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 82nd Legislature, Regular Session, 2011, requiring the legislature to provide for a periodic review of state and local tax preferences and providing for the expiration of certain tax preferences six years after their effective dates or at another time prescribed by the legislature.

(b) Provides that Section 28, Article VIII, of this constitution, as added by the amendment, takes effect January 1, 2012.

(c) Provides that this temporary provision expires January 2, 2012.

SECTION 3. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 8, 2011. Sets forth the required language of the ballot.