

BILL ANALYSIS

Senate Research Center
80R9967 DAK-D

S.B. 1057
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Finance
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Volunteer fire departments provide emergency services for large parts of the state's territory and population. These departments face financial constraints that may limit the departments' ability to provide services and to protect lives and property. One of those financial constraints is the cost of fuel for emergency vehicles, including tax paid on that fuel.

As proposed, S.B. 1057 includes volunteer fire departments on the list of entities that can purchase fuels without paying the state fuel tax.

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 162.104(a), Tax Code, to provide that the tax imposed under Subchapter B (Gasoline Tax), Chapter 162, Tax Code, does not apply to gasoline sold to a volunteer fire department in this state for the department's exclusive use.

SECTION 2. Amends Section 162.125, Tax Code, by adding Subsection (g-1), as follows:

(g-1) Entitles a volunteer fire department that paid the tax on gasoline from which it is exempt under Subchapter B, Chapter 162, Tax Code, to a refund of the tax paid. Authorizes the department to file a refund claim with the comptroller of public accounts (comptroller) for the amount of tax paid.

SECTION 3. Amends Section 162.204(a), to provide that the tax imposed under Subchapter C (Diesel Fuel Tax), Chapter 162, Tax Code, does not apply to diesel fuel sold to a volunteer fire department in this state for the department's exclusive use.

SECTION 4. Amends Section 162.227, Tax Code, by adding Subsection (f-1), as follows:

(f-1) Entitles a volunteer fire department that paid the tax on diesel fuel from which it is exempt under Subchapter C, Chapter 162, Tax Code, to a refund of the tax paid. Authorizes the department to file a refund claim with the comptroller for the amount of tax paid.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: July 1, 2007, or September 1, 2007.