

TAX CODE CHAPTER 301. GENERAL PROVISIONS

TAX CODE

TITLE 3. LOCAL TAXATION

SUBTITLE A. GENERAL TAXING AUTHORITY AND PROVISIONS

CHAPTER 301. GENERAL PROVISIONS

Sec. 301.001. PURPOSE OF TITLE. (a) This title is enacted as a part of the state's continuing statutory revision program, conducted by the Texas Legislative Council as directed by Section 323.007, Government Code. The program contemplates a topic-by-topic revision of the state's general and permanent statute law without substantive change.

(b) Consistent with the objectives of the statutory revision program, the purpose of this title is to make the general and permanent state tax laws more accessible and understandable by:

(1) rearranging the statutes into a more logical order;

(2) employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;

(3) eliminating repealed, duplicative, unconstitutional, expired, executed, and other ineffective provisions; and

(4) restating the law in modern American English to the greatest extent possible.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Sec. 301.002. CONSTRUCTION OF CODE. The Code Construction Act (Chapter 311, Government Code) applies to the construction of each provision of this title, except as specifically provided by this title.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Sec. 301.003. INTERNAL REFERENCES. In this code:

(1) a reference to a title, chapter, or section without further identification is a reference to a title, chapter, or section of this code; and

(2) a reference to a subtitle, subchapter, subsection, subdivision, paragraph, or other numbered or lettered unit without further identification is a reference to a unit of the next larger unit of this code in which the reference appears.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Sec. 301.004. TELEPHONE COMPANY EXEMPTION. (a) A municipality or other political subdivision of this state may not impose an occupation tax or any charge for the privilege of doing business on a telephone company taxed under Chapter 171 of this code.

(b) This section does not:

(1) prohibit the collection by a municipality of a franchise tax in effect on October 31, 1936;

(2) prohibit the collection of ad valorem taxes; or

(3) affect any contracts made between a municipality and a franchise holder.

(c) In this section, "telephone company" means a person who owns or operates a telephone line or a telephone network in this state, charges for its use, and is regulated by the Public Utility Commission of Texas as a certificated provider of local exchange telephone service.

Added by Acts 1987, 70th Leg., 2nd C.S., ch. 5, art. 3, Sec. 3, eff. Oct. 1, 1988.