



ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: December 12, 2011

AGENDA ITEM: *Consider Taxation of Goods-In-Transit*

PRESENTER: Earl Husfeld

ALIGNS TO BOARD GOAL(S):

6. *Provide resources and facilities consistent with the growth of the District.*

BACKGROUND INFORMATION:

- The 82nd Texas Legislature has enacted Senate Bill 1, amending Texas Tax Code § 11.253, and through that amendment, has narrowed the definition of goods-in-transit. The amendment is effective October 1, 2011 and it applies to tax years 2012 and subsequent. The only exemption now authorized relates to those goods being stored. Senate Bill 1, under the new subsection (j-1) of Section 11.253, requires that if a taxing unit wishes to tax the newly defined goods-in-transit, the taxing unit must take affirmative action to do so.
- If a taxing unit desires to tax the newly defined goods-in-transit, a public hearing must be held for the purpose of providing the taxing unit's taxpayers the opportunity to express their opinions on the subject.

ADMINISTRATIVE CONSIDERATIONS:

- A public hearing was held to allow members of the public to speak for or against the taxation of goods-in-transit.
- Most taxing units have passed, or are passing, resolutions approving the taxation of goods-in-transit.
- At this time, there is very little goods-in-transit property located within the District.

FISCAL NOTE:

None

ADMINISTRATIVE RECOMMENDATION:

The Administration recommends the Board of Trustees pass, approve, and adopt the following Resolution Relating to Approval of Taxation of Goods-in-Transit That Are Otherwise Exempt From Taxation Under Section 11.253, Texas Tax Code, as presented.

**ALEDO INDEPENDENT SCHOOL DISTRICT
RESOLUTION RELATING TO APPROVAL OF TAXATION OF GOODS-IN-
TRANSIT THAT ARE OTHERWISE EXEMPT FROM TAXATION UNDER
SECTION 11.253, TEXAS TAX CODE**

WHEREAS, the 82nd Texas Legislature during its Special Session enacted Senate Bill 1 which amended Texas Tax Code § 11.253, under which personal property consisting of goods-in-transit, as newly defined, are exempt from taxation; and

WHEREAS, a new subsection (j-1) was added to § 11.253 by Senate Bill 1, and which provides for a local option under which a taxing unit may tax such goods-in-transit otherwise exempt, if the governing body of such taxing unit after a public hearing takes official action to tax such personal property; and

WHEREAS, on the 12th day of December, 2011, the Board of Trustees held a public hearing at which members of the public were permitted to speak for or against the taxation of certain goods-in-transit personal property; and

WHEREAS, following the public hearing, the Board of Education has determined that such personal property, as exempted by Texas Tax Code § 11.253, should be subject to taxation by the Aledo Independent School District for tax year 2012 and all subsequent years.

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE ALEDO INDEPENDENT SCHOOL DISTRICT THAT:

(1) All of the above recitals are incorporated and made a part of this Resolution; and,

(2) All such goods-in-transit personal property as defined by the amendments to Texas Tax Code § 11.253 under Senate Bill 1, shall be, and are hereby declared to be, taxable by the Aledo Independent School District for tax year 2012 and for every year thereafter, all as provided for and in accordance with Texas Tax Code § 11.253.

PASSED, APPROVED, AND ADOPTED this 12th day of December, 2011.

ALEDO INDEPENDENT SCHOOL DISTRICT

By: _____
Printed Name: Joe Dearing, Jr.
Position: President, Board of Trustees

ATTEST:

By: _____
Printed Name: Johnny Campbell
Position: Secretary, Board of Trustees