

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 11-1 OF THE CITY CODE
RELATING TO THE TAXATION OF TANGIBLE PROPERTY IN TRANSIT.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- (A) Texas Tax Code Section 11.253 (*Tangible Personal Property In Transit*) provides for an exemption from ad valorem taxation of tangible personal property in transit unless the governing body of a taxing unit provides that the goods are subject to taxation.
- (B) To subject the property to taxation, the governing body of the taxing unit must conduct a public hearing as required by Section 1-n(d) of Article VIII of the Texas Constitution.
- (C) On December 6, 2007, the Council conducted the required public hearing to consider whether to subject the property to taxation.

PART 2. Chapter 11-1 (*Ad Valorem Tax*) of the City Code is amended to add Section 11-1-3 to read:

§ 11-1-3 TAXATION OF TANGIBLE PROPERTY IN TRANSIT.

- (A) In this section, GOODS-IN-TRANSIT has the meaning assigned by Texas Tax Code Section 11.253 (*Tangible Personal Property In Transit*).
- (B) Goods-in-transit exempt from taxation under Texas Tax Code Section 11.253(b), and not exempt from taxation under other law, are subject to taxation within the City of Austin.

PART 3. This ordinance takes effect on _____, 2007.

PASSED AND APPROVED

_____, 2007 § _____
§ _____
§ _____
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk