

PROPERTY TAX BILLS IN THE 2019 TEXAS LEGISLATURE 86th REGULAR SESSION

Last Updated: January 7, 2019

The 86th Regular Session of the Texas Legislature will convene on January 8, 2019. More than nine hundred bills have already been filed.

Exemptions

H.B. 160

Author: Raymond

Amends/Enacts: §§11.13 and 26.06 Tax Code; §44.004 Education Code; §8876.152 Special District and Local Laws Code; §§49.236 and 49.2361 Water Code

Status: Filed

H.J.R. 19

Author: Raymond

Amends/Enacts: Art. VIII, §1-b Texas Constitution

Status: Filed

This proposed constitutional amendment and related bill concern homestead exemptions for parents or guardians of disabled minors who live with them. The \$10,000 school-tax exemption for homeowners who are disabled or over 65 would be expanded to include those parents and guardians. The same is true of the local-option exemption for homeowners who are disabled or over 65.

H.B. 275

Author: Miller

Amends/Enacts: §§11.133 and 11.431 Tax Code

Status: Filed

H.J.R. 23

Author: Miller

Amends/Enacts: Art. VIII, §1-b Texas Constitution

Status: Filed

Current law provides a 100% homestead for the surviving spouse of a member of the armed services "killed in action." This bill would change that language to "killed or fatally injured in the line of duty."

H.B. 360

Author: Murphy

Amends/Enacts: §312.006 Tax Code

Status: Filed

The Tax Abatement Act (Chapter 312 of the Tax Code) is scheduled to expire on September 1, 2019. This bill would extend the Act for ten more years.

H.B. 384

Author: Bohac

Amends/Enacts: §§11.13, 11.42, 11.43, 26.10, 26.112 and 33.01 Tax Code; §§41.0021, 42.2518, 42.252, 42.302, 44.004, 46.003, 46.032 and 46.071 Education Code; §402.302 Government Code

Status: Filed

H.J.R. 29

Author: Bohac

Amends/Enacts: Art. VIII, §1-b Texas Constitution

Status: Filed

This proposed constitutional amendment and related bill would completely exempt a homestead if: 1) the owner were at least eighty years old; and 2) the property had been her homestead for at least the ten years preceding the year in question. A surviving spouse, fifty-five or older, could inherit the exemption. The exemption could not be transferred to another property. The state would make up revenue losses suffered by school districts.

H.B. 388

Author: Murphy

Amends/Enacts: §11.211

Status: Filed

H.J.R. 31

Author: Murphy

Amends/Enacts: Art. VIII, §2 Texas Constitution

Status: Filed

This proposed constitutional amendment and related bill would create an exemption for property leased to an open-enrollment charter school and used for educational purposes. The property owner would have to pass the tax savings along to the school in the form of reduced rent. The school's leasehold interest would not be taxable.

H.B. 453

Author: Shaheen

Amends/Enacts: §11.13 Tax Code

Status: Filed

H.J.R. 33

Author: Shaheen

Amends/Enacts: Art. VIII, §1-b Texas Constitution

Status: Filed

Under this proposed constitutional amendment and related bill, a county, acting through its commissioners, could exempt up to fifty percent of the value of the homesteads of physicians who provided free medical care to residents of the county who are indigent or who are Medicaid recipients.

H.B. 492

Author: Shine

Amends/Enacts: §§11.35, 11.42, 11.43, 11.45, 23.02, 26.012, 41.03, 41.41, and 41.44 Tax Code; §403.302 Government Code

Status: Filed

H.J.R. 34

Author: Shine

Amends/Enacts: Art VIII, §2 Texas Constitution

Status: Filed

This bill concerns improvements and personal property damaged in a natural disaster. It would repeal the law under which a taxing unit can direct an appraisal district to reappraise such property at its post-disaster value. Instead, a taxing unit could adopt a temporary exemption for the property. The taxing unit would have to take that action within 60 days after a disaster as declared. A property owner would have to apply to the appraisal district within 45 days after a taxing unit adopted the exemption and show that her property had lost at least 15% of its value. The district would decide which of four categories to put the property in based on the level of damage. Base on the category, the property would receive an exemption of 15% to 100%. If the disaster occurred during the year, the exemption would be prorated based on the date of the disaster declaration. The exemption would end the next year that the district reappraised the property as part of its regular reappraisal plan.

H.B. 493

Author: Shine

Amendfs/Enacts: §§11.35, 11.42, 11.43, 11.45, 23.02, 26.012, 41.03, 41.41, and 41.44 Tax Code; §403.302 Government Code; §140.012 Local Government Code

Status: Filed

H.J.R. 35

Author: Shine

Amends/Enacts: Art. VIII, §2 Texas Constitution

Status: Filed

This is another bill that would allow temporary exemptions for property damaged in natural disasters. It is very similar to H.B. 492, but this bill would include “disaster exemption assistance payments” from the state to compensate taxing units for refunds paid on exempted properties.

H.B. 499

Author: Button

Amends/Enacts: §312.006 Tax Code

Status: Filed

This bill would extend the life of the Tax Abatement Act for ten more years. It is a companion to H.B. 360 and S.B. 118

H.B. 634

Author: Buckley

Amends/Enacts: §140.011 Local Government Code

Status: Filed

Under current law, the state provides assistance to some cities and counties disproportionately affected by tax breaks for disabled veterans. This bill would allow some additional cities to qualify. A city would not have to be adjacent to a military installation. It would only have to be wholly or partly located in a county in which a military installation was wholly or partly located.

S.B. 58

Author: Zaffirini

Amends/Exempts: §11.252 Tax Code

Status: Filed

This bill would exempt vehicles leased to the state or a local government. It would also exempt vehicles leased to §501(c)(3) organizations and used exclusively for religious, educational or charitable purposes.

S.B. 118

Author: West

Amends/Enacts: §312.006 Tax Code

Status: Filed

This bill would extend the life of the Tax Abatement Act for ten more years. It is a companion to H.B. 360 and H.B. 499

S.B. 129

Author: Hinojosa

Amends/Enacts: §11.134 Tax Code

Status: Filed

This bill would expand the list of first responders whose surviving spouses would be eligible for 100% homestead exemptions. Added would be special agents of the FBI, the Border Patrol, and numerous other federal agencies. A surviving spouse of a federal first responder would qualify only if she were a Texas resident at the time of the first responder's death.

S.B. 196

Author: Campbell

Amends/Enacts: §§11.133 and 11.431 Tax Code

Status: Filed

This bill concerning the homestead exemption for surviving spouses of service members killed in action is virtually identical to H.B. 275 discussed above.

S.B. 283

Author: Buckingham

Amends/Enacts: §140.011 Local Government Code

Status: Filed

This bill concerns state assistance to some cities and counties disproportionately affected by tax breaks for disabled veterans. It is virtually identical to H.B. 634 discussed above.

Appraisals

H.B. 97

Author: Eddie Rodriguez

Amends/Enacts: §23.51 Tax Code

Status: Filed

When dealing with open-space agricultural appraisals, an appraisal district would have to recognize “uncommon agricultural uses” such as organic, sustainable, pastured poultry and rotational grazing. Those uncommon uses would have their own degree-of-intensity tests based on guidelines from the Comptroller. The definition of “agricultural use” would be expanded to include producing fruits and vegetables. The Comptroller would also develop guidelines for determining whether tracts under ten acres in size used for the production of fruits, vegetables, poultry, hogs, sheep or goats could qualify for open-space appraisal.

H.B. 164

Author: Raymond

Amends/Enacts: §23.015 Tax Code

Status: Filed

H.J.R. 20

Author: Raymond

Amends/Enacts: Art. VIII, §1 Texas Constitution

Status: Filed

This proposed constitutional amendment and related bill would exclude from the value of a property any value contributed by improvements or features that are there to comply with the Americans with Disabilities Act.

H.B. 383

Author: Bohac

Amends/Enacts: §23.23 Tax Code

Status: Filed

H.J.R. 28

Author: Bohac

Amends/Enacts: Art. VIII, §1 Texas Constitution

Status: Filed

Under this proposed constitutional amendment and related bill, the cap on increases in the appraised values of residence homesteads would be reduced to 5% per year.

H.B. 564

Author: Nevárez

Amends/Enacts: §23.1241

Status: Filed

Natural gas compressors would no longer be taxed as heavy equipment. They would be taxed where they were located and at their market value.

H.B. 639

Author: Springer

Amends/Enacts: §23.51 Tax Code

Status: Filed

An ecological laboratory could qualify for an open-space agricultural appraisal in a year only if it had been used principally for that purpose for five of the seven preceding years.

S.B. 135

Author: Nichols

Amends/Enacts: §23.51 Tax Code

Status: Filed

An ecological laboratory could qualify for an open-space agricultural appraisal in a year only if it had been used principally for that purpose for five of the seven preceding years. This bill is virtually identical to H.B. 639 discussed above

S.B. 202

Author: Huffman

Amends/Enacts: §23.02 Tax Code

Status: Filed

Under certain circumstances, an appraisal district would reappraise property damaged in a natural disaster automatically without any taxing unit having to authorize the reappraisal. The automatic reappraisal would apply to all properties that FEMA estimated to have sustained five percent or greater damage. The reappraisals would have to be done within 45 days of the Governor's disaster declaration unless it took longer for FEMA to make its determinations.

Appraisal Districts and ARBs

H.B. 54

Author: Zerwas

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.103, 5.104, 6.412, 41.46, 41.461, 41.47, 41.66, 41.67, 41.71, 41A.06, and 41A.09 Tax Code

Status: Filed

The comptroller's introductory training course for ARB members would have to be at least eight hours long. The continuing-education course would have to be at least four hours long.

Instead of having an opportunity to take an online survey in an ARB's office, a protesting property owner would be given a survey form to complete at the time and place of her choosing. The form would allow the owner to offer comments and suggestions concerning any matter related to the fairness and efficiency of the ARB. The appraisal district would give one copy of the form to the owner before or at the time of her hearing and mail her another copy along with her ARB order. The owner would have forty-five days in which to complete the form and file it directly with the comptroller. The form could be filed by mail or e-mail, or the owner could

complete the survey on the comptroller's website. Agents for property owners and a designated representative of the appraisal district would also have the opportunity to complete survey forms, one for every hearing.

In a county with 120,000 or more people, an ARB member could serve only three terms in his lifetime. Terms as an auxiliary member would count toward the member's lifetime limit. Close relatives could not both serve on an ARB at the same time. The local administrative judge would appoint the Chair and Secretary of the ARB from among its members, and would be "encouraged", if possible, to appoint a chairperson with a background in law and property appraisal.

An ARB could not hold a hearing on a Sunday and there would be some limitation on hearings held after 7:00 pm on weekdays.

An ARB' notice of a hearing would have to identify the "subject matter" of the hearing. Presumably, that means the grounds of protest raised by the owner. At least fourteen days before the first hearing scheduled on a protest, the appraisal district, on request, would have to deliver its evidence to the owner free of charge, not just the evidence that it planned to use. That would severely limit a district's ability to respond to surprises arising at a hearing. The district could not even offer verbal testimony about evidence that it had not delivered. The postponement of a hearing would not give the district an additional opportunity to produce evidence. As an alternative to the physical delivery of its evidence, the district could direct the owner to a specific Internet site where the evidence would be available or agree with the owner to deliver the evidence electronically. The owner would still be entitled, on request to have the evidence delivered by mail.

The rule that prohibits an ARB from making a property owner wait more than two hours for her hearing would be extended to apply to agents. The ARB might schedule an agent for a full day of hearings with the expectation that the owner would work all day. After two hours, however the agent could say, "Hey, I have a tee time. We'll tackle my other protests on another day." An owner or agent can now request that an ARB hold up to twenty hearings on the same day. The bill would allow the owner or agent to request that those hearings be consecutive. An ARB's ability to schedule consecutive hearings for an agent would be seriously limited. The hearing notice would have to state the time that the first hearing would start and the time that the last hearing would end and state the exact order of the hearings. The order could not be changed without the agreement of the agent and the district. The ARB could not reschedule a hearing in a group of consecutive hearings to a date earlier than the seventh day after the date the last hearing was scheduled to end unless the parties agreed. Such a rescheduling would require seven days written notice to the agent.

An ARB could not require the concurrence of more than a simple majority of its members for any decision. Neither could a panel of ARB members.

An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing. At the end of a hearing, the ARB or panel would have to give the owner documents showing that the members who conducted the hearing had signed the affidavit about ex parte communications. The ARB would need to send the owner a copy of its order or the panel's order within fifteen days after the conclusion of the hearing.

This bill is also discussed under the headings *Appraisal District Litigation and Arbitration* and *Miscellaneous*.

H.B. 483

Author: Phelan

Amends/Enacts: §§ 5.12, 5.13, 6.03, 6.031, 6.033, 6.034, 6.036, 6.037, 6.051, 6.06, 6.061, 6.063 and 6.10 Tax Code; § 52.092 Education Code; § 172.024 Election Code

Status: Filed

Under this bill, an appraisal district's board of directors would consist of four elected members and the county's tax assessor-collector. One member would be elected from each Commissioner's precinct in the county, and they would serve two-year terms. If the county contracted out its assessment and collection functions, the TAC would be replaced on the board by a director elected at large. A candidate's filing fee would be \$200 in a county with fewer than 200,000 people and \$400 in a larger county. Taxing units would no longer have the power to veto a board's actions.

H.B. 484

Author: Phelan

Amends/Enacts: §25.25 Tax Code

Status: Filed

If a homestead sold for a price ten-percent below its appraisal-roll value or less, the ARB could change that value for the year of the sale and for one of the two preceding years. The property owner or the chief appraiser could file a motion with the ARB requesting the change. The moving party would have to show the ARB that the sales price reflected the home's market value.

H.B. 491

Author: Shine

Amends/Enacts: §§6.052, 6.41, 6.42 and 6.43 Tax Code

Status: Filed

In a county with fewer than 120,000 people, the appraisal district's directory could choose to have the local administrative district judge appoint the members of the ARB.

In a county with 120,000 or more people, the ARB would have its own checking account for paying the members' per diems and paying the auxiliary members' compensation. The appraisal district would put the money in the account.

Current law says that the appraisal district "may" provide clerical assistance to the ARB. This bill would change "may" to "shall."

S.B. 67

Author: Nelson

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.102, 5.103, 5.104, 6.412, 6.42, 41.46, 41.461, 41.47, 41.66, 41.67, 41.71, 41A.06, 41A.061, and 41A.09 Tax Code; §403.302 Government Code

Status: Filed

The comptroller's introductory training course for ARB members would have to be at least eight hours long. The continuing-education course would have to be at least four hours long. The bill would make it clear that the comptroller could charge non-ARB members for attending the courses.

Instead of having an opportunity to take an online survey in an ARB's office, a protesting property owner would be given a survey form to complete at the time and place of her choosing. The form would allow the owner to offer comments and suggestions concerning any matter related to the fairness and efficiency of the ARB. Before or at a hearing, the appraisal district would give a property owner a document describing her right to take the survey. The owner would have forty-five days in which to complete the survey and file it directly with the comptroller. The survey could be filed by mail or e-mail, or the owner could complete the survey on the comptroller's website. Agents for property owners and a designated representative of the appraisal district would also have the opportunity to complete survey forms, one for every hearing.

The county population that triggers restrictions on the eligibility of former appraisal district personnel and former officers of taxing units would apply would jump from 100,000 to 120,000. In a county with 120,000 or more people, member could serve only three terms on an ARB during his lifetime. Terms as an auxiliary member would count toward the member's lifetime limit. Close relatives could not both serve on an ARB at the same time. The local administrative judge would appoint the Chair and Secretary of the ARB from among its members.

A notice of protest could direct an ARB to deliver its hearing notice by certified mail, but the ARB could require the property owner to pay the cost of the certified mail. An ARB could not hold a hearing on a Sunday and there would be some limitation on hearings held after 7:00 pm on weekdays.

An ARB' notice of a hearing would have to identify the "subject matter" of the hearing. Prior to the first hearing scheduled on a protest, the appraisal district, on request, would have to deliver its evidence to the owner free of charge, not just the evidence that it planned to use. Further, the district would have to master time travel because the district would have to deliver its evidence at least fourteen days before the first hearing no matter when the property owner requested the evidence. The district could not even offer verbal testimony about evidence that it had not delivered. The postponement of a hearing would not give the district an additional opportunity to produce evidence. As an alternative to the physical delivery of its evidence, the district could direct the owner to a specific Internet site where the evidence would be available or agree with the owner to deliver the evidence electronically. The owner would still be entitled, on request to have the evidence delivered by mail.

Under current law, a property owner or agent can file up to twenty protests together and request that they all be heard on the same day, but the person can only do that once with a particular ARB. This bill would allow the person to do that more than once, and the same-day hearings would have to be consecutive. The rule that prohibits an ARB from making a property owner wait more than two hours for her hearing would be extended to apply to agents. An ARB's ability to schedule consecutive hearings for an agent would be seriously limited. The hearing notice would have to state the time that the first hearing would start and the time that the last hearing would end and state the exact order of the hearings. The order could not be changed without the agreement of the agent and the district. The ARB could not reschedule a hearing in a group of consecutive hearings to a date earlier than the seventh day after the date the last hearing

was scheduled to end unless the parties agreed. Such a rescheduling would require seven days written notice to the agent.

An ARB could not require the concurrence of more than a simple majority of its members for any decision. Neither could a panel of ARB members. An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing. At the end of a hearing, the ARB or panel would have to give the owner documents showing that the members who conducted the hearing had signed the affidavit about ex parte communications. The ARB would need to send the owner a copy of its order or the panel's order within fifteen days after the conclusion of the hearing.

This bill is also discussed under the headings *Appraisal District Litigation and Arbitration* and *Miscellaneous*.

Appraisal District Litigation and Arbitration

H.B. 54

Author: Zerwas

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.103, 5.104, 6.412, 41.46, 41.461, 41.47, 41.66, 41.67, 41.71, 41A.06, and 41A.09 Tax Code

Status: Filed

The comptroller would create a training program on property tax law for arbitrators. An arbitrator would have to complete at least four hours of legal training including training about unequal-appraisal issues. The arbitrator would also have to attend an ARB training course, but the bill does not say whether that means the introductory course or the continuing-education course. The program could be provided online. The comptroller would create training materials including an arbitration manual with the approval of a committee with equal numbers of members representing taxpayers and chief appraisers. This bill is also discussed under the headings *Appraisal Districts and ARBs* and *Miscellaneous*.

H.B. 380

Author: Geren

Amends/Enacts: §§42.01 and 42.231

Status: Filed

If an ARB determined that it could not hear a protest (or motion) because the property owner had failed to meet some requirement such as filing the protest on time or showing up for his hearing, the property owner could appeal that determination to a court under Chapter 42. If the court determined that the ARB should have heard the protest, it would not send the matter back to the ARB. Instead, the court would consider the property owner's substantive complaint. The owner could even raise new complaints that he had not even tried to raise before the ARB.

If an appraisal district raised a jurisdictional defense to a Chapter 42 appeal claiming that the property owner had failed to exhaust remedies available from the ARB, the court could either dismiss the case or sent it to the ARB. The ARB would hold a hearing on the matter and make a determination, which could be appealed to the court. Or the parties could agree to let the court decide the matter without having the ARB consider it first.

H.B. 443

Author: Meyer

Amends/Enacts: §41.0932 Education Code

Status: Filed

A wealthy school district buying attendance credits would be able to retain m&o tax revenue sufficient to pay the district's average m&o costs per student for the last three years adjusted for inflation. The TEA would determine the average m&o costs and make the adjustment for inflation.

S.B. 67

Author: Nelson

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.102, 5.103, 5.104, 6.412, 6.42, 41.46, 41.461, 41.47, 41.66, 41.67, 41.71, 41A.06, 41A.061, and 41A.09 Tax Code; §403.302 Government Code

Status: Filed

The comptroller would create a training program on property tax law for arbitrators. An arbitrator would have to complete at least four hours of legal training including training about unequal-appraisal issues. The arbitrator would also have to attend ARB training courses, both the introductory course or the continuing-education course. The new program could be provided online. The comptroller would create training materials including an arbitration manual with the unanimous approval of a committee with equal numbers of members representing taxpayers and chief appraisers. Any revisions of the manual would also require the unanimous approval of that committee. An arbitrator who had viewed the program once would have to view it again if it were revised. This bill is also discussed under the headings *Appraisal Districts and ARBs* and *Miscellaneous*.

S.B. 211

Author: Flores

Amends/Enacts: §§ 41.45, 42.35, 42.36, 42.37, and 42.38 Tax Code

Status: Filed

In Atascosa County, a property owner could appeal an ARB order to a justice court.

Assessment

H.B. 163

Author: Canales

Amends/Enacts: §23.55 Tax Code

Status: Filed

Rollbacks taxes on open-space agricultural land would recapture lost taxes for just three years instead of five. The interest rate on rollback taxes would drop to 5%.

H.B. 322

Author: Geren

Amends/Enacts: §§11.26, 23.19, and 26.012 Tax Code; §42.302 Education Code

Status: Filed

H.J.R. 26

Author: Geren

Amends/Enacts: Art. VIII, §1-b Tax Code

Status: Filed

The school tax freeze that currently applies to homesteads of people who are disabled or over 65 would be expanded to include all taxing units. There would no longer be any local option for cities, counties or junior college districts.

H.B. 470

Author: Paul

Amends/Enacts: §§26.012, 26.04, 26.041, 26.043, 26.07, 26.08, 26.16, 31.12, and 33.08 Tax Code; §130.016 Education Code; §281.124 Health and Safety Code; §140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522 and §3828.157, 8876.152 Special District Local Laws Code; §§49.107, 49.108, 49.236, and 49.2361 Water Code

Status: Filed

A taxing unit's rollback tax rate would be calculated by multiplying the unit's effective M & O rate by 1.04 and adding the unit's debt rate. An election would be automatic if an adopted tax rate were higher than the rollback tax rate. Different rules would apply to a "small taxing unit," defined as a taxing unit with a population of less than 40,000. A small taxing unit would use 1.08 in calculating its rollback tax rate. A rollback election would still require a petition signed by voters.

H.B. 490

Author: Shine

Amends/Enacts: §§5.01, 5.07, 5.091, 5.102, 25.19, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.065, 26.08, 26.16, 26.17, and 26.18, Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §§102.007, 111.039, and 140.010 Local Government Code

Status: Filed

The effective tax rate would be renamed the "no-new-revenue rate," but the formula for its calculation would not change. Neither would the formula for calculating a rollback rate. Rates would be calculated using electronic forms from the Comptroller. The person doing the calculations would certify that the rates were calculated accurately using the values shown in the taxing unit's appraisal roll. The governing body could not adopt a tax rate without that certification. The notice concerning the rates could be posted on the taxing unit's website as an alternative to publication or mailing.

A notice of appraised value would no longer include an estimate of taxes. Instead, the appraisal district would send each property owner another notice, either by mail or e-mail. The notice would be sent by August 7 and would tell the property owner how to find a tax estimate on a database maintained by the appraisal district. (That database would include extensive information provided by the taxing units about taxes and rates and links to the taxing units' websites.) The notice would also tell the property owner how to contact the county TAC and how to find tax-related information that taxing units posted on the Internet. A taxing unit's governing body could not hold a hearing or adopt a tax rate before the seventh day after the appraisal district sent out the notices. A taxing unit have to post extensive tax and financial information on the Internet. If a taxing unit failed to make a good-faith effort to comply with truth-in-taxation rules, any property owner could sue for an injunction to stop tax collections. The suit could be filed within 15 days following the adoption of the tax rate, and property owners would not have to pay while the suit was pending.

This bill is also discussed under the heading *Miscellaneous*.

H.B. 569

Author: Capriglione

Amends/Enacts: §31.01 Tax Code

Status: Filed

School districts would have to include additional information on their tax bills. A wealthy school district that purchased attendance credits would have to state: 1) the percentage of its m&o taxes that went to the state; and 2) the percentage of its m&o taxes that it got to keep. A non-wealthy district would have to state for the current year and the preceding year: 1) the percentage of its m&o revenue that came from its own taxes; and 2) the percentage of its m&o revenue that came from the state.

H.B. 614

Author: Murphy

Amends/Enacts: §§23.46, 23.47, 23.55, 23.58, 23.76, and 23.9807 Tax Code

Status: Filed

Rollbacks taxes on open-space agricultural land would recapture lost taxes for just three years instead of five. No interest would be charged if the rollback taxes were paid timely. The same would be true for rollback taxes on timberland and restricted-use timberland.

H.B. 622

Author: Neave

Amends/Enacts: §§11.262, 23.19, 26.012, and 31.01 Tax Code; §44.004 Education Code; §403.302 Government Code

Status: Filed

H.J.R. 41

Author: Neave

Amends/Enacts: Art. VIII, §1-b Texas Constitution

Status: Filed

If a homestead were located in a disaster area declared by the governor and rendered uninhabitable or unusable by the disaster, this bill would impose a five-year ceiling on the taxes

on that homestead. A taxing unit could not impose taxes higher than those imposed in the year of the disaster. A property owner would have to file an application for the benefit, but he could do so any time within one year of the disaster. The benefit would no longer apply if the property ceased to be the owner's homestead.

Collections

H.B. 240

Author: Bernal

Amends/Enacts: §31.031 Tax Code

Status: Filed

The four-installment payment option that is available for some homeowners paying taxes on their homesteads would be expanded and would be available to all homeowners.

School Finance and Value Studies

H.B. 89

Author: Mary Gonzales

Amends/Enacts: §§29.097, 29.098, 29.918, 39.0233, 39.233, 39.234, 41.002, 41.093, 41.097, 41.098, 41.099, 42.010, 42.011, 42.101, 42.152, 42.153, 42.157, 42.160, 42.251, 42.253, 42.302, 42.4101, 43.001, and 45.259 Education Code

Status: Filed

The basic allotment for a school district that had a \$1.50 m&o rate in 2005 would be raised from \$4,765 to \$5,440 per student in average daily attendance for the 2019-2020 school year and to \$5,840 for the 2020-2021 school year. After that, the allotment would increase each year by the lesser of one percent or the inflation rate based on the Consumer Price Index for all urban consumers. The wealth limit that applies to a district's compressed tax rate would adjust to reflect changes in the basic allotment. The wealth limit that applies to the next six cents of a district's tax effort would be based on the *greater* of the Austin ISD or a district at the 95th percentile of wealth per student. The wealth limit for further tax effort would no longer be \$319,500; it would be same as the limit for the compressed tax rate.

Under current law, Tier-1 funding comes from property taxes, appropriated state funds and "state available school funds." This bill would take those available funds out of the equation.

The bill also makes some adjustments to some special allotments. The TEA would conduct a comprehensive review of all weights, allotments and adjustments in the school finance system, including weights, allotments and adjustments that are not currently in place but which might be appropriate. The TEA's report would be due in advance of the 2021 legislative session. After each legislative session, the TEA would study the effects of any new amendments on all school districts.

A district's guaranteed yield under Tier 2 would be based on the greater of the Austin ISD or a district at the 95th percentile of wealth per student.

H.B. 297

Author: Murr

Amends/Enacts: §§21.01, 21.02, 25.25, 26.012, 26.04, 26.05, 26.08, 26.085, 26.16, 31.01, and 312.210, 151.051, 151.801, 151.021, 152.023, 152.026, 152.028, 152.122, 152.1222, 154.6035, 155.2415, 171.4011, and 171.664 Tax Code; Chapter 41 and §§7.055, 8.056, 11.1511, 12.013, 12.029, 12.106, 13.054, 21.402, 21.410, 21.411, 21.412, 21.413, 25.081, 29.008, 29.087, 29.203, 30.003, 37.061, 420.009, 42.101, 42.158, 42.160, 42.251, 42.2511, 42.2516, 42.2518, 42.252, 42.2521, 42.2522, 42.2523, 42.2524, 42.2528, 42.253, 42.2531, 42.257, 42.258, 42.259, 42.260, 42.262, 42.302, 42.303, 44.004, 45.002, 45.003, 45.006, 45.007, 45.104, 45.105, 45.108, 45.109, 45.111, 09, 45.156, 45.251, 45.261, 46.003, 46.004, 46.032, 79.110, 87.208, 870505, 96.707, and 105.301 Education Code; §§3.005, and 4.008 Election Code; §§403.109, 403.302, 437.117, and 825.405, Government Code; 1579.251 Insurance Code

Status: Filed

This bill would end school m&o taxes by repealing Chapter 41 of the Education Code. Enrichment taxes would still be allowed with a maximum rate of 17¢. State sales tax rates would roughly double with the extra revenue going to make up for the lost school taxes.

H.B. 443

Author: Meyer

Amends/Enacts: §41.0932 Education Code

Status: Filed

A wealthy Chapter 41 school district would be entitled to retain is entitled to retain maintenance and operations tax revenue sufficient to pay the district's average maintenance and operations costs per student in average daily attendance, adjusted for inflation. That average would be based on the three preceding school years.

H.B. 462

Author: Geren

Amends/Enacts: §42.25191 Education Code

Status: Filed

H.J.R. 24

Author: Geren

Amends/Enacts: Art. III, §49a and Art. VIII, §1, Texas Constitution

Status: Filed

This proposed constitutional amendment and related bill would require the state to provide at least half of the money for public schools, not counting money that the state receives and redistributes under the Robin Hood system.

S.B. 136

Author: Rodriguez

Amends/Enacts: §§29.097, 29.098, 29.918, 39.0233, 39.233, 39.234, 41.002, 41.093, 41.097, 41.098, 41.099, 42.010, 42.011, 42.101, 42.152, 42.153, 42.157, 42.160, 42.251, 42.253, 42.302, 42.4101, 43.001, and 45.259 Education Code

Status: Filed

This bill concerning allotments and wealth limits is virtually identical to H.B. 89 discussed above

Miscellaneous

H.B. 54

Author: Zerwas

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.103, 5.104, 6.412, 41.46, 41.461, 41.47, 41.66, 41.67, 41.71, 41A.06, and 41A.09 Tax Code

Status: Filed

The Comptroller would appoint a “property tax administration advisory board” to give him advice concerning his property-tax responsibilities. The board would consist of six or more members. It would include representatives of taxpayers, appraisal districts and school districts and somebody who knew something about ratio studies. The members would not have fixed terms; they would serve at the pleasure of the comptroller. This bill is also discussed under the headings: Appraisals and Appraisal Districts and ARBs. This bill is also discussed under the headings *Appraisal Districts and ARBs* and *Appraisal District Litigation and Arbitration*.

H.B. 185

Author: Bernal

Amends/Enacts:

Status: Filed

The comptroller would establish an advisory committee to study the possibility of requiring property owners to disclose sales prices of real property.

H.B. 490

Author: Shine

Amends/Enacts: §§5.01, 5.07, 5.091, 5.102, 25.19, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.065, 26.08, 26.16, 26.17, and 26.18, Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §§102.007, 111.039, and 140.010 Local Government Code

Status: Filed

The Comptroller would appoint a “property tax administration advisory board” to give him advice concerning his property-tax responsibilities. The board would consist of six or more members. It would include representatives of taxpayers, appraisal districts and school districts and somebody who knew something about ratio studies. The members would not have fixed terms; they would serve at the pleasure of the comptroller. The comptroller’s Property Value Study Advisory Committee would cease to exist. This bill is also discussed under the headings: Appraisals and Appraisal Districts and ARBs. This bill is also discussed under the heading *Assessment*.

H.B. 648

Author: Krause

Amends/Enacts: Chapter 328 Tax Code

Status: Filed

A city or county could give up its property tax and substitute a “supplemental” sales tax.

S.B. 67

Author: Nelson

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.102, 5.103, 5.104, 6.412, 6.42, 41.46, 41.461, 41.47, 41.66, 41.67, 41.71, 41A.06, 41A.061, and 41A.09 Tax Code; §403.302 Government Code

Status: Filed

The Comptroller would appoint a “property tax administration advisory board” to give him advice concerning his property-tax responsibilities. The board would consist of six or more members. It would include representatives of taxpayers, appraisal districts and school districts and somebody who knew something about ratio studies. The members would not have fixed terms; they would serve at the pleasure of the comptroller. The comptroller’s Property Value Study Advisory Committee would cease to exist. This bill is also discussed under the headings: Appraisals and Appraisal Districts and ARBs. This bill is also discussed under the headings *Appraisal Districts and ARBs* and *Appraisal District Litigation and Arbitration*.