

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

Last Updated: March 3, 2019

Almost 5,000 bills have been filed so far, and the deadline for filing is coming later this week. Expect to see at least two thousand more bills filed.

Exemptions

H.B. 2

Author: Burrows

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Pending in House Ways and Means Committee

This omnibus bill is virtually identical to S.B. 2, which is described below. It is also discussed under the headings: *Appraisals; Appraisal Districts and ARBs; Appraisal District Litigation and Arbitration; Assessment; and Miscellaneous.*

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: Pending in House Ways and Means Committee

H.J.R. 19

Author: Raymond

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 23

Author: Miller

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 29

Author: Bohac

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 31

Author: Murphy

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 33

Author: Shaheen

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 34

Author: Shine

Amends/Enacts: Art VIII, §2 Texas Constitution

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 35

Author: Shine

Amends/Enacts: Art. VIII, §2 Texas Constitution
Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Appropriations Committee

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.

H.B. 716
Author: Leach
Amends/Enacts: §§11.136, 11.42, 11.43, 26.1127, and 31.031 Tax Code; §140.011 Local Government Code
Status: Pending in House Ways and Means Committee

H.J.R. 44
Author: Leach
Amends/Enacts: Art. VIII, §1-b Texas Constitution
Status: Pending in House Ways and Means Committee

A severely disabled veteran (defined as a veteran with a disability rating of at least 80% but less than 100%) would receive a percentage homestead exemption equal to the percentage of his disability. A veteran with an 80% disability rating would receive an exemption equal to 80% of the appraised value of his home. If the veteran died, his surviving spouse would inherit the exemption. The surviving spouse could later transfer the exemption to a new homestead in a fixed dollar amount. The surviving spouse would lose the exemption if she remarried.

H.B. 827
Author: Rose
Amends/Enacts: §11.24 Tax Code
Status: Pending in House Ways and Means Committee

A taxing unit’s governing body could extend a historic-site exemption to include an improvement and related land necessary to support the continued use or existence of the historic structure or

archeological site. The improvement would have to be adjacent to the historic property and have a consistent architectural style.

H.B. 905

Author: Bernal

Amends/Enacts: §§11.136, 11.42, 11.43, 26.10, and 26.1125 Tax Code; §403.302 Government Code

Status: Pending in House Ways and Means Committee

H.J.R. 48

Author: Bernal

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

Status: Pending in House Ways and Means Committee

This proposed constitutional amendment and related bill would create a 100% exemption for the homestead of a “qualifying caregiver.” The caregiver would have to be the parent or guardian of someone eligible to receive long-term services and supports under Medicaid. That person would have to live with the caregiver and could not pay the caregiver.

H.B. 948

Author: Metcalf

Amends/Enacts: §11.20 Tax Code

Status: Pending in House Ways and Means Committee

Under current law, land owned by a church for the expansion of a place of worship may be exempted for up to six years if the land is contiguous to the church’s existing place of worship. This bill would expand that period to ten years.

H.B. 1056

Author: Bohac

Amends/Exempts: §11.252 Tax Code

Status: Pending in House Ways and Means Committee

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.

H.B. 1194

Author: Dutton

Amends/Enacts: §§11.1828, 11.436 and 26.111 Tax Code

Status: Pending in House Ways and Means Committee

H.J.R. 58

Author: Dutton

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

Status: Pending in House Ways and Means Committee

This proposed constitutional amendment and related bill would create a school-tax exemption for low/moderate-income housing located near a school or in a municipal management district. The bill would require that the property be within one mile of a school or in a municipal management district. The property could be owned by anybody. In an “urban area,” the property would have

to include: twenty-five or more new single-family homes or a new multifamily housing project with 150 or more units. In a “rural area,” the property would have to include ten or more new single-family homes or a new multifamily housing project with sixty or more units. In either case the homes would have to be sold or leased to people earning no more than 25% of the area median income. An owner could receive the exemption for up to three years. If the owner sold or leased even one home to someone who did not qualify, a penalty would be imposed equal to all of the taxes that the owner had saved as a result of receiving the exemption.

H.B. 1201

Author: Raymond

Amends/Enacts: §11.18 Tax Code

Status: Pending in House Ways and Means Committee

The general charitable exemption would be expanded to include an organization that provided: 1) housing counseling services without regard to the beneficiaries' ability to pay; and 2) rental housing to low-income and moderate-income individuals and families at below-market rates.

H.B. 1333

Author: Krauss

Amends/Enacts: §§1.07, 1.086, 6.03, 6.16, 23.01, 25.19, 25.192, and 25.193 Tax Code

Status: Pending in House Ways and Means Committee

If a residential property were not receiving a homestead exemption even though it was the owner's address, the appraisal district would have to send a notice explaining the owner's right to apply for the exemption. The notice would have to be sent separately from any other notice, and it would have to be accompanied by an exemption application form. The bill details the exact language of the notice, but it does not specify whether the notice would have to be sent just once or annually.

If an exemption applicable to a residential property were reduced or cancelled in a year, the appraisal district would have to send a notice to the property owner. That notice would have to be sent separately from a notice of appraised value.

This bill is also discussed under the headings, *Appraisals* and *Appraisal Districts and ARBs*.

H.B. 1414

Author: Craddick

Amends/Enacts: §11.18 Tax Code

Status: Pending in House Ways and Means Committee

The general charitable exemption would be expanded to include organizations that provide meeting places and support services for organizations that help alcoholics and their families without regard to the beneficiaries' ability to pay.

H.B. 1526

Author: Cecil Bell

Amends/Enacts: §11.161 Tax Code

Status: Filed

“Nursery stock weather protection units,” i.e., hoop greenhouses would be exempted as implements of farming and ranching.

H.B. 1596

Author: Lambert

Amends/Enacts: §11.37 Tax Code

Status: Filed

H.J.R. 69

Author: Lambert

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

Status: Filed

A county, city or junior college district could grant an exemption for the bpp of start-up businesses owned by veterans. The exemption could be enacted by the taxing unit's governing body or through a petition-and-election process. The taxing unit would determine the amount of the exemption which could be as large as \$30,000. The exemption could last for up to five years.

H.B. 1606

Author: Lambert

Amends/Enacts: §11.38 Tax Code

Status: Filed

H.J.R. 70

Author: Lambert

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

Status: Filed

The governing body of a city or county could adopt an exemption for businesses that provide "qualifying services" for veterans. A business would have to provide at least \$5,000 per year in services (including housing, substance-abuse treatment, residential treatment services, or mental health counseling) to at least one veteran each year. The amount of the exemption for a business would be the lesser of \$300,000 or \$15,000 times the number of veterans that received services provided by or paid for by the business.

H.B. 1977

Author: Cole

Amends/Enacts: §312.008 Tax Code

Status: Filed

Before granting a tax abatement, a taxing unit would have to prepare a fiscal impact statement that assessed the economic impact that the abatement agreement would have on schools, transportation, and public safety. The comptroller would adopt rules to ensure that a fiscal impact statement was prepared a reasonable amount of time before the taxing unit granted the exemption and that the public would have an opportunity to review it.

H.B. 2359

Author: Sanford

Amends/Enacts: §312.204 and 313.024 Tax Code

Status: Pending in House Ways and Means Committee

A gambling establishment such as a casino or race track could not receive a tax abatement or a school district value limitation. This bill is also discussed under the heading Miscellaneous.

H.B. 2395

Author: Lozano

Amends/Enacts: §§11.26, 11.261, and 23.23 Tax Code

Status: Filed

If a homestead property is seriously damaged and then replaced, the cap on year-to-year value increases is lost if the new structure has a higher quality exterior than the original structure. This bill would eliminate that rule. The cap could continue even if the replacement structure had a nicer exterior than the original. This bill is also discussed under the heading *Assessment*.

H.B. 2438

Author: Phelan

Amends/Enacts: §312.006 and 313.007 Tax Code

Status: Pending in House Ways and Means Committee

The Tax Abatement Act (Chapter 312 of the Tax Code) is scheduled to expire on September 1, 2019. This bill would extend the Act until December 31, 2032. This bill is also discussed under the heading *Miscellaneous*.

H.B. 2441

Author: Wray

Amends/Enacts: §11.31 Tax Code

Status: Filed

A homeowner who was both over 65 and disabled could receive both types of exemptions on the same property in the same year, *but not from the same taxing unit*. For example, the homeowner might receive an over-65 exemption from the county and a disability exemption from the city.

H.B. 2456

Author: Kacal

Amends/Enacts: §§11.13 and 26.10 Tax Code

Status: Filed

H.J.R. 89

Author: Kacal

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

Status: Filed

A taxing unit would have the option of giving a homestead exemption in an amount up to \$15,000 to volunteer first responders. In order to qualify and keep the exemption, a volunteer first responder would have to attend at least 24 hours of training per year and participate with his organization in at least 25% of its emergency calls each year.

H.B. 2695

Author: Lucio

Amends/Enacts: §§11.13 and 25.19 Tax Code

Status: Filed

H.J.R. 93

Author: Lucio

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

A homeowner would receive a new exemption from every taxing unit that taxed her homestead. The exemption would be equal to 10% of the average appraised value of all homesteads located in the county, although a taxing unit's governing body could decide to raise the exemption as high as 25% of the average homestead value.

H.B. 2799

Author: Sanford

Amends/Enacts: §§312.2035, 312.207, and 313.025 Tax Code; §§552.131 and 551.087

Government Code

Status: Filed

A property owner seeking a tax abatement for property in a city would have to file an application with the city. The application could be filed even before the city had created a reinvestment zone. The city council could approve an application only by an affirmative vote of a majority of members taken at a regular meeting. The council could approve an application even if the property were not yet in a reinvestment zone. The council could not vote to approve an abatement agreement until at least ninety days after it had approved the property owner's application. This bill is also discussed under the heading, *Miscellaneous*.

H.B. 2804

Author: Button

Amends/Enacts: §11.37 Tax Code

Status: Filed

H.J.R. 94

Author: Button

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

Status: Filed

This proposed constitutional amendment and related bill would exempt food products held by the owner for sale at retail. It would apply to food products that are exempt from sales taxes.

S.B. 2

Author: Bettencourt

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239

Water Code

Status: Passed by Senate Property Tax Committee; pending in full Senate

A property owner could still file a freeport exemption application after the regular deadline, but not later than June 1.

This bill is also discussed under the headings: *Appraisals; Appraisal Districts and ARBs; Appraisal District Litigation and Arbitration; Assessment; and Miscellaneous.*

S.B. 58

Author: Zaffirini

Amends/Exempts: §11.252 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerning the exemption for leased vehicles is virtually identical to H.B. 1056 discussed above.

S.B. 118

Author: West

Amends/Enacts: §312.006 Tax Code

Status: Pending in Senate Natural Resources and Economic Development Committee

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: Pending in Senate Property Tax Committee

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: Pending in Senate Property Tax Committee

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: Pending in Senate Finance Committee

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.

S.B. 335

Author: West

Amends/Enacts: §§11.1827, 23.21, and 26.10 Tax Code; §373B.003 Local Government Code

Status: Pending in Senate Intergovernmental Relations Committee

This bill would make it clear that an exemption for property of community land trusts, once adopted by a taxing unit, would continue in effect until the taxing unit's governing body acted to rescind it. In order to qualify for the exemption, a community land trust could be organized as: a nonprofit corporation; a limited partnership with its general-partner interest "controlled" by a nonprofit corporation; or an LLC with a nonprofit corporation as its only member. Under certain circumstances, exemptions on land owned by various types of low-income-housing organizations would continue in effect throughout a year even if a housing unit on the land were sold to a qualifying family. This bill is also discussed under the heading, *Appraisals*.

S.B. 350

Author: Powell

Amends/Enacts: §§312.006 and 320.001 Tax Code

Status: Pending in Senate Natural Resources and Economic Development Committee

The Property Redevelopment and Tax Abatement Act is scheduled to expire on September 1, 2019. This bill would extend it indefinitely.

S.B. 443

Author: Hancock

Amends/Enacts: §11.135 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerns property owners who continue to receive homestead exemptions when their homes are rendered uninhabitable by a casualty or by wind or water damage. Under current law, the exemption can continue for two years before an owner has to be living in a replacement structure. This bill would extend that period to five years if the first home were damaged by a disaster declared by the governor.

S.B. 540

Author: KolkHorst

Amends/Enacts: §11.135 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerns property owners who continue to receive homestead exemptions when their homes are rendered uninhabitable by a casualty or by wind or water damage. It is virtually identical to S.B. 443 discussed above

S.B. 547

Author: Watson

Amends/Enacts: §11.181 Tax Code

Status: Pending in Senate Property Tax Committee

Property could receive the Habitat-for-Humanity exemption for up to ten years instead of the five years allowed by current law.

S.B. 600

Author: Buckingham

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.07, 26.08, 26.16, 31.12, 33.08 and 41.12 Tax Code; §130.016 Education Code; §281.124 Health and Safety Code; §140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522,

3828.157, and 8876.152 Special District Local Laws; §§49.107, 49.108, 49.236, and 49.2361 Water Code

Status: Pending in Senate Property Tax Committee

Even a late application for a freeport exemption would have to be filed with an appraisal district by June 1. This bill is also discussed under the headings, *Appraisals, Appraisal Districts and ARBs, and Assessment.*

S.B. 717

Author: Lucio

Amends/Enacts: §11.18 Tax Code

Status: Pending in Senate Property Tax Committee

The general charitable exemption would be expanded to include organizations that provide meeting places and support services for organizations that help alcoholics and their families without regard to the beneficiaries' ability to pay. This bill is virtually identical to H.B. 1414 discussed above.

S.B. 1005

Author: Bettencourt

Amends/Enacts: §11.251 Tax Code

Status: Pending in Senate Property Tax Committee

S.J.R. 43

Author: Bettencourt

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

Status: Pending in Senate Property Tax Committee

Freeport goods could stay in Texas for 365 days before being transported out of state (more than doubling the present 175 days) and still receive the freeport exemption.

S.B. 1006

Author: Bettencourt

Amends/Enacts: §11.145 Tax Code

Status: Pending in Senate Property Tax Committee

The exemption for small amounts of bpp in a taxing unit would be expanded from \$500 to \$2,500.

S.B. 1013

Author: Hughes

Amends/Enacts: §§11.4391 and 21.10 Tax Code

Status: Filed

Current law allows a property owner to file a late application for a freeport exemption but imposes a penalty equal to 10% of the owner's tax savings. This bill would cap the penalty at 10% of the taxes ultimately imposed after application of the exemption. This bill is also discussed under the heading, *Appraisals.*

S.B. 1046

Author: Birdwell

Amends/Enacts: §312.006, 312.007, and 312.404 Tax Code

Status: Filed

A city council or county commissioners' court meeting to consider a tax-abatement agreement would have to post a very specific notice including the name of the property owner, the location of the property, a description of the anticipated improvements or renovations, and other details. The notice would have to be posted at least 120 hours before the meeting.

S.B. 1072

Author: Watson

Amends/Enacts: §11.13 Tax Code

Status: Filed

S.J.R. 44

Author: Watson

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

Status: Filed

Under current law, a local-option percentage homestead exemption comes with a \$5,000 floor. No matter how low a homestead's value might be, its exemption won't be less than \$5,000. This proposed constitutional amendment and related bill would allow a taxing unit's governing body to fix a higher floor for the exemption, up to \$25,000. In the future, the legislature could authorize an even higher floor.

S.B. 1158

Author: Bettencourt

Amends/Enacts: §312.006 Tax Code

Status: Pending in Senate Natural Resources and Economic Development Committee

This bill would extend the life of the Tax Abatement Act for ten more years. It is virtually identical to several other bills, including H.B. 360, H.B. 499, and S.B. 118.

S.B. 1227

Author: Bettencourt

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.08, and 41.12 Tax Code

Status: Filed

A property owner could still file a freeport exemption application after the regular deadline, but not later than June 1. This bill is also discussed under the headings, *Appraisals, Appraisal Districts and ARBs and Assessment*.

S.B. 1322

Author: Taylor

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

S.J.R. 49

Author: Taylor

Amends/Enacts: Art VIII, §2 Texas Constitution

Status: Filed

This proposed constitutional amendment and related bill would allow a taxing unit to adopt a temporary exemption for property damaged in a natural disaster. They are virtually identical to H.B. 492 and H.J.R. 34 discussed above.

S.B. 1391

Author: Menendez

Amends/Enacts: §§11.13 and 11.26 Tax Code; §§41.0011, 42.2512 and 46.101 Education Code; §403.302 Government Code

Status: Filed

S.J.R. 50

Author: Menendez

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

Status: Filed

This proposed constitutional amendment and related bill would increase the general homestead exemption that applies to school districts from \$25,000 to \$50,000 in 2020. After that, the amount of the exemption would be adjusted from year to year to keep up with inflation. Homeowners with tax freezes would have those freezes adjusted downward to reflect increased exemptions. The state would provide school districts with extra money to compensate them for the tax revenues lost as a result of the increased exemption.

Appraisals

H.B. 2

Author: Burrows

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Pending in House Ways and Means Committee

This omnibus bill is virtually identical to S.B. 2, which is discussed below. It is also discussed under the headings: *Exemptions; Appraisal Districts and ARBs; Appraisal District Litigation and Arbitration; Assessment; and Miscellaneous.*

H.B. 97

Author: Eddie Rodriguez

Amends/Enacts: §23.51 Tax Code

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 20

Author: Raymond

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 28

Author: Bohac

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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.

H.B. 768

Author: Sarah Davis

Amends/Enacts: §23.02 Tax Code

Status: Pending in House Ways and Means Committee

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.

H.B. 878

Author: Cecil Bell

Amends/Enacts: §§1.12, 23.23 and 42.26 Tax Code; §403.302 Government Code

Status: Pending in House Ways and Means Committee

H.J.R. 47

Author: Cecil Bell

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

Status: Pending in House Ways and Means Committee

This proposed constitutional amendment and related bill would impose a 5% cap on year-to-year increases in the appraised values of all real properties. For non-homestead properties, the cap would first apply to a property in the year after the first year that the owner owned it on January 1. It would cease to apply in the first year following a change of ownership unless the new owner were the spouse of the former owner. For a property with multiple owners, a change in 50% or more of the ownership would end the cap.

H.B. 945

Author: Metcalf

Amends/Enacts: §§1.12, 23.23 and 42.26 Tax Code; §403.302 Government Code

Status: Pending in House Ways and Means Committee

H.J.R. 50

Author: Metcalf

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

Status: Pending in House Ways and Means Committee

This proposed constitutional amendment and related bill would impose a 10% cap on year-to-year increases in the appraised values of all real properties. For non-homestead properties, the cap would first apply to a property in the year after the first year that the owner owned it on January 1. It would cease to apply in the first year following a change of ownership unless the new owner were the spouse of the former owner. For a property with multiple owners, a change in 50% or more of the ownership would end the cap. The proposed amendment and bill are virtually identical to H.B. 878 and H.J.R. 47 discussed above.

H.B. 946

Author: Metcalf

Amends/Enacts: §23.23 Tax Code

Status: Pending in House Ways and Means Committee

H.J.R. 51

Author: Metcalf

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

Status: Pending in House Ways and Means Committee

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. 1036

Author: Beckley

Amends/Enacts: §12.0013 Property Code

Status: Pending in House Business and Industry Committee

A deed conveying real property would have to include the sales price. A purchaser who filed a deed without the sales price would face a fine equal to 5% of the sales price.

H.B. 1188

Author: Hefner

Amends/Enacts: §§23.54 and 25.25 Tax Code

Status: Pending in House Ways and Means Committee

If open-space agricultural land were transferred from one relative to another, the land would continue to qualify for ag appraisal, even if the new owner did not file a timely application. The new owner, however, have to give the appraisal district written notice of the transfer within 180 days. This bill is also discussed under the heading, *Appraisal Districts and ARBs*.

H.B. 1254

Author: Murphy

Amends/Enacts: §23.42 Tax Code

Status: Pending in House Ways and Means Committee

Current law says that land cannot be appraised as open-space agricultural land if it is used to secure a home-equity loan. This bill would repeal that rule.

H.B. 1313

Author: Phil King

Amends/Enacts: §23.01 Tax Code

Status: Pending in House Ways and Means Committee

Under current law, if an appraised value is lowered as a result of a protest or an appeal and if the appraisal district puts a higher value on the property in the next year, the district must have substantial evidence to support the higher value. Under this bill, the district would need clear and convincing evidence to support the higher value.

H.B. 1333

Author: Krauss

Amends/Enacts: §§1.07, 1.086, 6.03, 6.16, 23.01, 25.19, 25.192, and 25.193 Tax Code

Status: Pending in House Ways and Means Committee

This bill would make it clear that a “cosmetic defect” is a type of individual characteristic that an appraisal district should consider when appraising a property. This bill is also discussed under the headings, *Exemptions*, and *Appraisal Districts and ARBs*.

H.B. 1409

Author: Ashby

Amends/Enacts: §§23.72, 23.765, 23.9802, and 23.9808 Tax Code

Status: Pending in House Ways and Means Committee

Land could qualify as timber land or restricted-use timberland even if part of it were used for related purposes such as a road, buffer area, or firebreak. Land would not cease to qualify if part of it were used for oil and gas operations.

H.B. 1444

Author: Patterson

Amends/Enacts: §§25.19, 26.09, and 26.095 Tax Code

Status: Pending in House Ways and Means Committee

H.J.R. 65

Author: Patterson

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

Status: Pending in House Ways and Means Committee

The taxes on real property for a year would be based on the lesser of: 1) the property’s appraised value for that year; or 2) the average appraised value of the property for that year and the four preceding years.

H.B. 1815

Author: Sanford

Amends/Enacts §21.09 Tax Code

Status: Filed

Under current law, a property owner seeking interstate allocation of its property value must file an application with the appraisal district before April 1. This bill would allow the owner to file the application any time before May 1.

H.B. 1841

Author: Senfronia Thompson

Amends/Enacts: §23.21 Tax Code

Status: Filed

Current law directs an appraisal district to recognize restrictions that might affect the value of certain low-income housing. This bill provides that if the sale of a housing unit is subject to an eligible land use restriction, the district could not appraise it above the price for which it could be sold under that restriction. In order for it to affect appraisals, a restriction would have to: be recorded; last at least 40 years; restrict the price for which the housing unit could be sold to a price below market value; and prohibit a sale to anyone other than a family meeting income-eligibility standards.

H.B. 1842

Author: Senfronia Thompson

Amends/Enacts: §23.23 Tax Code
Status: Filed

This bill concerns the cap on year-to-year increases in the value of a homestead that is rendered uninhabitable and then replaced. A replacement structure that might otherwise be considered a new improvement will not be so considered if it is built to satisfy the requirements of a particular “disaster recovery program” set out in federal law. This bill would delete the reference to that particular federal law. The rule concerning a disaster recovery program would apply to any program funded with community development block grants authorized by federal law.

H.B. 2121
Author: Bailes
Amends/Enacts: §23.041 Tax Code
Status: Filed

When appraising real property, an appraisal district would not include the value of “improvements used for the noncommercial production of food for personal consumption.”

H.B. 2124
Author: Bailes
Amends/Enacts: §21.25 Tax Code
Status: Filed

Omitted property could be added to appraisal rolls for only two past years. This bill is also discussed under the heading, *Collections*.

H.B. 2160
Author: Raymond
Amends/Enacts: §23.51 Tax Code
Status: Filed

Land would qualify as open-space land if the land were currently devoted principally to agricultural use to the degree of intensity generally accepted in the area and if it had been acquired by an owner who owned adjacent qualified open-space land. Apparently, this means that if an owner of open-space agricultural land acquired adjacent land and devoted it to agriculture, he would not have to wait five years before the acquired land could qualify as open-space agricultural land.

H.B. 2182
Author: Toth
Amends/Enacts: §23.041 Tax Code
Status: Filed

When appraising real property, an appraisal district would not include the value of “improvements used for the noncommercial production of food for personal consumption.” This bill is virtually identical to H.B. 2121 discussed above.

H.B. 2702
Author: White
Amends/Enacts: §25.21 Tax Code
Status: Filed

An appraisal district would not longer be required to back-appraise omitted property. The district could choose whether to pick up the property.

H.J.R. 52

Author: Lucio

Amends/Enacts: Art. VIII, §§ 1 and 20 Texas Constitution

Status: Filed

The Texas Supreme Court surprised everyone last year when it ruled that the Texas Constitution did not require property to be appraised or taxed based on its market value. This proposed constitutional amendment would correct the Court's misinterpretation and make it clear that the Constitution *does* require that taxes be based on market value.

S.B. 2

Author: Bettencourt

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Passed by Senate Property Tax Committee; pending in full Senate

Appraisal Districts would be responsible for appraising property in accordance with the Comptroller's appraisal manuals. (The bill does not require the Comptroller to create any new appraisal manuals.) A MAP review or audit would consider whether an appraisal district was following the Comptroller's manuals.

The deadline for filing renditions would be changed to April 1. A property owner could request an extension of that deadline until May 1, and a further fifteen-day extension would be available for good cause.

This bill is also discussed under the headings: *Exemptions; Appraisal Districts and ARBs; Appraisal District Litigation and Arbitration; Assessment; and Miscellaneous.*

S.B. 135

Author: Nichols

Amends/Enacts: §23.51 Tax Code

Status: Pending in Senate Property Tax Committee

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: Pending in Senate Property Tax Committee

This bill concerning reappraisals in the wake of a natural disaster is virtually identical to H.B. 768 discussed above.

S.B. 335

Author: West

Amends/Enacts: §§11.1827, 23.21, and 26.10 Tax Code; §373B.003 Local Government Code

Status: Pending in Senate Intergovernmental Relations Committee

When appraising land or a housing unit leased by a community land trust to a qualifying family, an appraisal district would have to use the income approach and take into account the lease terms and other “uses and limitations applicable to the property” when estimating the actual income from the property. The district would have to use the capitalization rate used for other rent-restricted properties. The district would also have to recognize “eligible land use restrictions” on some properties acquired from a trust. This bill is also discussed under the heading, *Exemptions*.

S.B. 411

Author: Hughes

Amends/Enacts: §§23.12 and 23.1244 Tax Code

Status: Pending in Senate Property Tax Committee

Most retail inventories would be subject to the sales-based taxes that now apply to inventories of cars, heavy-equipment, etc. A retailer (other than one selling one of those special types of inventory) could opt to have its inventory appraised conventionally by filing a rendition. A retailer that sold predominately to other retailers would have its inventory appraised conventionally. For a nine-year period beginning in 2020, the sales-based appraised value of an inventory could not be less than a certain percentage of the inventory’s market value as determined through conventional appraisal methods. That percentage would be ninety percent in 2020 and decline to ten percent by 2028. Retailers would have to file declaration forms with appraisal districts annually, but not have to make the monthly prepayments that special inventory dealers make.

S.B. 453

Author: Creighton

Amends/Enacts: §23.02 Tax Code

Status: Pending in Senate Property Tax Committee

Under certain circumstances, an appraisal district would reappraise property damaged in a natural disaster automatically without any taxing unit having to authorize the reappraisal. This bill is virtually identical to H.B. 768 discussed above.

S.B. 474

Author: Hancock

Amends/Enacts: §23.42 Tax Code

Status: Pending in Senate Property Tax Committee

Current law says that land cannot be appraised as open-space agricultural land if it is used to secure a home-equity loan. This bill would repeal that rule. It is virtually identical to H.B. 1254 discussed above.

S.B. 492

Author: Alvarado

Amends/Enacts: §23.23 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerning the cap on year-to-year increases in the value of a homestead that is rendered uninhabitable and then replaced is virtually identical to H.B. 1842 discussed above.

S.B. 600

Author: Buckingham

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.07, 26.08, 26.16, 31.12, 33.08 and 41.12 Tax Code; §130.016 Education Code; §281.124 Health and Safety Code; §140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws; §§49.107, 49.108, 49.236, and 49.2361 Water Code

Status: Pending in Senate Property Tax Committee

Rendition deadlines would be the same in all counties regardless of whether any taxing units offered the freeport exemption. Renditions would have to be filed by April 1. A property owner could get an automatic extension until May 1. This bill is also discussed under the headings, *Exemptions, Appraisal Districts and ARBs and Assessment*.

S.B. 657

Author: Creighton

Amends/Enacts: §23.23 Tax Code

Status: Pending in Senate Property Tax Committee

S.J.R. 38

Author: Creighton

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

Status: Pending in Senate Property Tax Committee

Under this proposed constitutional amendment and related bill, the cap on year-to-year increases in the appraised values of residence homesteads would be reduced to 3% for properties appraised at \$1 million or less and 5% for more valuable properties.

S.B. 701

Author: Nichols

Amends/Enacts: §§23.72, 23.765, 23.9802, and 23.9808 Tax Code

Status: Pending in Senate Property Tax Committee

Land could qualify as timber land or restricted-use timberland even if part of it were used for related purposes such as a road, buffer area, or firebreak. Land would not cease to qualify if part of it were used for oil and gas operations. This bill is virtually identical to H.B. 1409 discussed above.

S.B. 812

Author: Lucio

Amends/Enacts: §23.23 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerning the cap on year-to-year increases in the value of a homestead that is rendered uninhabitable and then replaced is virtually identical to H.B. 1842 and S.B. 492 discussed above.

S.B. 836

Author: Miles

Amends/Enacts: §23.21 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerning the appraisal of certain low-income housing units is virtually identical to H.B. 1841 discussed above.

S.B. 1013

Author: Hughes

Amends/Enacts: §§11.4391 and 21.10 Tax Code

Status: Filed

Current law allows a property owner to file a late application for interstate allocation of value but imposes a penalty equal to 10% of the owner's tax savings. This bill would cap the penalty at 10% of the taxes ultimately imposed after allocation is applied. This bill is also discussed under the heading, *Exemptions*.

S.B. 1086

Author: Seliger

Amends/Enacts: §§1.12, 23.23 and 42.26 Tax Code; §403.302 Government Code

Status: Filed

S.J.R. 46

Author: Seliger

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

Status: Filed

This is another proposed constitutional amendment and related bill that would extend the cap on year-to-year increases in homestead values to all real properties and reduce the allowable increase to 5%.

S.B. 1143

Author: Hughes

Amends/Enacts: §§23.12, 23.1244, 171.701, 171.701, 171.703, 171.704, 171.705, 171.706, and 171.707 Tax Code

Status: Filed

Most retail inventories would be appraised conventionally *and* appraised using a sales-based method similar to the method that now applies to inventories of automobiles, heavy equipment, etc. An appraisal district would average those two values to get the appraised value of a retail inventory. A retailer that failed to file a declaration form would have its inventory appraised conventionally, as would retailer that sold predominately to other retailers. The bill also includes a franchise-tax credit for a retailer who paid more under this hybrid appraisal scheme than it would pay with a purely sales-based appraisal.

S.B. 1157

Author: Fallon

Amends/Enacts §21.09 Tax Code

Status: Filed

This bill would extend by a month the deadline for filing an application for interstate allocation. It is virtually identical to H.B. 1815 discussed above.

S.B. 1227

Author: Bettencourt

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.08, and 41.12 Tax Code

Status: Filed

The deadline for filing renditions would be April 1 in every county. A property owner could get an automatic extension until May 1. This bill is also discussed under the headings, *Exemptions, Appraisal Districts and ARBs, and Assessment.*

Appraisal Districts and ARBs

H.B. 2

Author: Burrows

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Pending in House Ways and Means Committee

This omnibus bill is virtually identical to S.B. 2, which is discussed below. It is also discussed under the headings: *Exemptions; Appraisals; Appraisal District Litigation and Arbitration; Assessment; and 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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

In a county with fewer than 120,000 people, the appraisal district's directors 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."

H.B. 950

Author: Lucio

Amends/Enacts: §41.47 Tax Code

Status: Pending in House Ways and Means Committee

An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing.

H.B. 994

Author: Guillen

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

Status: Pending in House Ways and Means Committee

If a property owner filed an affidavit in connection with an ARB hearing, the ARB and the chief appraiser would have to review the evidence or argument provided by the property owner before the hearing. This bill is also discussed under the heading, *Appraisal District Litigation and Arbitration*.

H.B. 1050**Author: Lucio****Amends/Enacts: §25.19 Tax Code****Status: Pending in House Ways and Means Committee**

Some of the information that is now included with a notice of appraised value could instead be posted on an appraisal district's website. The notice could simply tell the owner where to find the information on the Internet. That would be true for: estimates of taxes; five-year changes in appraised values; the comptroller's remedies pamphlet; and the notice-of-protest form. A notice pertaining to a property that might qualify for a homestead exemption would not have to include an exemption application form. Instead, it could tell the owner where to find the form on the Internet.

H.B. 1060**Author: Cecil Bell****Amends/Enacts: §1.085 Tax Code****Status: Pending in House Ways and Means Committee**

A protesting property owner could direct an ARB to deliver notice of his hearing by certified mail or by e-mail. A property owner requesting delivery by certified mail could be required to pay the cost of the postage. The bill does not include important details such as how a property owner would make such a request (in writing, on the telephone, via e-mail, etc.) or how an ARB would collect the cost of certified-mail postage.

H.B. 1081**Author: Raymond****Amends/Enacts: §25.25 Tax Code****Status: Pending in House Ways and Means Committee**

On the motion of a property owner, an ARB could change an appraisal roll to correct an inaccuracy in the appraised value of the owner's personal property that was the result of an error or omission in a rendition statement or property report. A property owner could not obtain this relief if it had not filed a timely rendition or report, if it had already used the protest process, or if it had agreed to the appraised value of its property.

H.B. 1188**Author: Hefner****Amends/Enacts: §§23.54 and 25.25 Tax Code****Status: Pending in House Ways and Means Committee**

Under specific circumstances, an ARB could correct a past year's appraisal roll to grant an open-space agricultural appraisal for qualifying land. The movant would have to show by clear and convincing evidence that the ag appraisal had been denied because the land had been

transferred from one relative to another and the new owner had not filed a timely application. The successful property owner would pay 10% of his tax savings as a penalty.

H.B. 1333

Author: Krauss

Amends/Enacts: §§1.07, 1.086, 6.03, 6.16, 23.01, 25.19, 25.192, and 25.193 Tax Code

Status: Pending in House Ways and Means Committee

A person could not serve on an appraisal district's board of directors or be employed by the appraisal district if the person were an officer or employee of a taxing unit served by the appraisal district.

An appraisal district would maintain a list of people who were willing to provide free assistance to homeowners with respect to their homesteads and who were real estate professionals, appraisers or property tax consultants. The district would provide a copy of the list to a homeowner on request.

If a homeowner made a written request, the appraisal district would send most notices related to the owner's homestead via e-mail.

This bill is also discussed under the hearings, *Exemptions, Appraisals, and Appraisal Districts and ARBs*.

H.B. 1484

Author: Metcalf

Amends/Enacts: §§ 5.12, 5.13, 6.03, 6.031, 6.034, 6.036, 6.037, 6.051, 6.06, 6.061, 6.063, 6.10, and 6.15 Tax Code; §172.024 Election Code

Status: Pending in House Ways and Means Committee

An appraisal district's board of directors consist of: four members elected from the county's four commissioners' precincts; one member elected at large; and the county TAC. Directors would serve two-year terms beginning on January 1 of odd-numbered years. Taxing units could not overturn actions of the district's board of directors.

H.B. 1485

Author: Metcalf

Amends/Enacts: §§1.15, 5.041, 5.042, 6.035, 6.05, 6.0501, 6.41, 6.411, 22.28, 42.21 Tax Code; §172.024 Election Code; §87.041 Local Government Code; §1151.164 Occupations Code

Status: Pending in House Ways and Means Committee

Chief appraisers would be elected and would serve two-year terms beginning on January 1 of odd-numbered years. In order to serve as the chief appraiser in a county, a person would have to live in that county and would have to have lived there for four years.

H.B. 1486

Author: Munoz

Amends/Enacts: §§ 5.103, 6.41, 6.411, 6.412, 6.413, 6.414, 6.42, and 41.66 Tax Code; §172.024 Election Code

Status: Pending in House Ways and Means Committee

Every ARB would consist of five elected members. Four members would be elected from the four commissioners' precinct and one member would be elected at large. The members would select the ARB's chairperson and secretary. The members could select auxiliary members to assist them. A member could be removed for failing to attend a comptroller's training class. Members could not serve more than four consecutive terms.

H.B. 1534

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

An appraisal district's board of directors would consist of four elected members and the county's tax assessor-collector. This bill is virtually identical to H.B. 483 discussed above.

H.B. 1551

Author: Hefner

Amends/Enacts: §§1.15, 5.041, 5.042, 6.035, 6.05, 6.0502, 6.41, 6.411, 22.28, 42.21 Tax Code; §172.024 Election Code; §87.041 Local Government Code; §1151.164 Occupations Code

Status: Filed

Chief appraisers would be elected and would serve two-year terms. This bill is virtually identical to H.B. 1485 discussed above.

H.B. 1703

Author: Shaheen

Amends/Enacts: §6.412 Tax Code

Status: Filed

Under current law, an ARB member who has served all or part of three consecutive terms must leave the ARB and wait at least one year before she can be reappointed. This rule would create a separate rule for counties with more than 550,000 people. In the more populous counties, a term-limited member would have to wait two years before she could be reappointed.

H.B. 1816

Author: Beckley

Amends/Enacts: §41.43, 42.26 and 42.29 Tax Code

Status: Filed

This bill would end unequal-appraisal claims based on comparing appraised values. All unequal-appraisal analyses would have to compare appraisal ratios. A party to a protest could compare the appraisal ratio of the subject property to the median level of appraisal of a reasonable number of comparable properties in the appraisal district. The comparability of properties would be based on the factors set out in §23.013 for market-approach appraisals, location, square footage, etc. The comparison would be based on the appraised values submitted to the ARB by the chief appraiser, not values that had been changed after submission. The comptroller would adopt rules governing adjustments to values of industrial properties, refineries, utility properties, and other unique properties. This bill is also discussed under the heading, *Appraisal District Litigation and Arbitration*.

H.B. 2159

Author: Meyer
Amends/Enacts: §25.25 Tax Code
Status: Filed

An ARB's authority to correct one-third over-appraisal errors would be expanded to include unequal-appraisal claims.

H.B. 2179
Author: Wray
Amends/Enacts: §6.41 Tax Code
Status: Filed

Under current law, an ARB member can be removed based on "clear and convincing evidence of repeated bias or misconduct." This bill would remove the clear-and-convincing-evidence standard. ARB members could be removed more easily.

Property owners and their agents could communicate directly with judges who appoint ARB members about alleged grounds for removing an ARB member.

H.B. 2180
Author: Wray
Amends/Enacts: §6.035 Tax Code
Status: Filed

A person could not serve on an appraisal district's board of directors if the person had ever been employed by the district.

H.B. 2257
Author: Sanford
Amends/Enacts: §25.25 Tax Code
Status: Pending in House Ways and Means Committee

An ARB could change appraisal rolls for up to five past years to correct an error in the square footage of a property. The bill would really be a nullity because appraisal rolls do not include the square footages of properties.

H.B. 2574
Author: Burrows
Amends/Enacts: §§1.085, 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 training course for new ARB members would have to be at least eight hours long. The continuing-education course would have to be at least four hours long. People who are not ARB members could be charged up to \$50 for attending a course.

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.

An ARB could not schedule a hearing on a Sunday, and it could not schedule the first hearing on a protest held on a weekday evening to begin after 7:00 pm.

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' notice of a hearing would have to identify the "subject matter" of the hearing. A property owner could request that the hearing notice be delivered by certified mail. 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. 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.

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.

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.

An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing.

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.

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 also give a property owner a document describing her right to take the survey. 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 comptroller would issue annual reports summarizing the survey results.

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

H.B. 2719

Author: Pacheco

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

Status: Filed

An appraisal district's board of directors would consist of five directors elected at large. The County TAC would be a non-voting sixth member. Taxing units would no longer have the power to veto a board's actions.

H.B. 2750

Author: Hefner

Amends/Enacts: §§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

Status: Filed

An appraisal district's board of directors would consist of four directors appointed by the voting taxing units and one elected director. The size of the board could be increased, but half of any added positions would have to be elected. Taxing units would no longer have the power to veto a board's actions.

S.B. 2

Author: Bettencourt

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Passed by Senate Property Tax Committee; pending in full Senate

Current law prohibits a person from serving on an appraisal district's board of directors during the five years following the last time the person acted as a tax consultant in the county or worked appraising property for tax purposes in the county. This bill would shorten the waiting period to three years.

Every appraisal district would have an "office of tax notices" with a "tax notice officer" appointed by the chief appraiser. The tax notice officer would maintain a searchable "Real-Time Tax Database" on the Internet with extensive information about properties, tax rates, and TNT procedures.

The rule prohibiting a chief appraiser and a director from communicating ex parte about appraisals would not prevent a director from transmitting to the chief appraiser a complaint from a property owner or taxing unit about the appraisal of a specific property. The transmission would have to be in writing.

April 15 would be the target date for an appraisal district to deliver all of its notices of appraised value. The target date for an appraisal district submitting its appraisal records to the ARB would be May 1. The district would certify value estimates to taxing units by May 15. The ARB would approve the appraisal records by July 5. The district would certify appraisal rolls to taxing units by July 10.

The comptroller's training course for new ARB members would have to be at least sixteen hours long. A member of a special panel would need twenty-four hours of training. The continuing-education course would have to be at least eight hours long (sixteen hours for a member of a special panel). People who are not ARB members could be charged up to \$50 for attending a course.

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.

An ARB in a county with 1 million or more people would have to create "special panels" for properties appraised at \$50 million or more that fell into one of the following property types: 1) commercial; 2) utilities; 3) industrial and manufacturing; and 4) multifamily residential. Members of the special panels would have to have special qualifications such as: a law degree; an MBA; a CPA; an MAI; or various other types of appraisal designations; a real estate broker's or sales agent's license; or at least 10 years' experience in property tax appraisal or consulting. If an ARB did not include enough members qualified to serve on a special panel, the empty seats could be filled by any member with a bachelor's degree. A special panel could also hear protests involving ordinary properties. A notice of appraised value for a property eligible for a special-panel hearing would have to mention that option. A protest form would include space for a property owner to request a hearing before a special panel. A protest would go before a special panel only if the property were the right type and if the property owner requested it. An owner of industrial property, for example, could not be forced to go before a specialty panel against its will.

A taxing unit would no longer be allowed to challenge appraised values before an ARB.

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' 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. 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.

An ARB could not schedule a hearing on a Sunday, and it could not schedule the first hearing on a protest held on a weekday evening to begin after 7:00 pm.

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.

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.

An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing.

A property owner and an appraisal district could agree to request a particular determination from an ARB but also agree that the determination could be appealed.

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.

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 also 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 comptroller would issue annual reports summarizing the survey results.

This bill is also discussed under the headings: *Exemptions; Appraisals; Appraisal District Litigation and Arbitration; Assessment; and Miscellaneous.*

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: Pending in Senate Property Tax Committee

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 also 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*.

S.B. 211

Author: Flores

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

Status: Pending in Senate Property Tax Committee

If a property owner filed an affidavit in connection with an ARB hearing, the ARB and the chief appraiser would have to review the evidence or argument provided by the property owner before the hearing. The bill is virtually identical to H.B. 994, discussed above. It is also discussed under the heading, *Appraisal District Litigation and Arbitration*.

S.B. 347

Author: Flores

Amends/Enacts: §6.03 Tax Code

Status: Pending in Senate Property Tax Committee

In order to serve on an appraisal district's board of directors, a person would have to be an elected member of the governing body of a taxing unit entitled to vote on the appointment of the district's directors.

S.B. 596

Author: Buckingham

Amends/Enacts: §§41.41, 41.43, and 41.47 Tax Code

Status: Pending in Senate Property Tax Committee

Neither an appraisal district nor an ARB could charge a fee in connection with a protest.

An appraisal district could not offer as evidence the appraised value of a comparable property if the comparable were the subject of a protest in that year unless, at or before the ARB hearing, the district provided the protesting property owner a statement disclosing the protest related to the comparable.

An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing.

S.B. 597

Author: Buckingham

Amends/Enacts: §41.41 Tax Code

Status: Pending in Senate Property Tax Committee

S.J.R. 36

Author: Buckingham

Amends/Enacts: Art VIII, §18 Texas Constitution

Status: Pending in Senate Property Tax Committee

Neither an appraisal district nor an ARB could charge a fee in connection with a protest. The Constitution would prevent the legislature from allowing such a fee.

S.B. 598

Author: Buckingham

Amends/Enacts: §41.47 Tax Code

Status: Pending in Senate Property Tax Committee

An ARB could not set the value of a property higher than the value on the appraisal records going into the hearing.

S.B. 599

Author: Buckingham

Amends/Enacts: §41.43 Tax Code

Status: Pending in Senate Property Tax Committee

An appraisal district could not offer as evidence the appraised value of a comparable property if the comparable were the subject of a protest in that year unless, at or before the ARB hearing, the district provided the protesting property owner a statement disclosing the protest related to the comparable.

S.B. 600

Author: Buckingham

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.07, 26.08, 26.16, 31.12, 33.08 and 41.12 Tax Code; §130.016 Education Code; §281.124 Health and Safety Code; §140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws; §§49.107, 49.108, 49.236, and 49.2361 Water Code

Status: Pending in Senate Property Tax Committee

The target date for an appraisal district delivering notices of appraised value would be April 15 for all types of properties. There would no longer be a separate date for notices concerning homesteads. An appraisal district would submit its appraisal records to the ARB by May 1. The ARB would approve appraisal records by July 5. The District would certify appraisal rolls by July 10, but it would have until May 15 to certify value estimates. This bill is also discussed under the headings, *Exemptions, Appraisals and Assessment*.

S.B. 635

Author: Flores

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

Status: Pending in Senate Property Tax Committee

If a property owner filed an affidavit in connection with an ARB hearing, the ARB and the chief appraiser would have to review the evidence or argument provided by the property owner before the hearing. It is also discussed under the heading, *Appraisal District Litigation and Arbitration*.

S.B. 853

Author: Johnson

Amends/Enacts: §41.43, 42.26 and 42.29 Tax Code
Status: Pending in Senate Property Tax Committee

This bill would end unequal-appraisal claims based on comparing appraised values. It is similar to H.B. 1816 discussed above. This bill, however, would not require the comptroller to adopt rules. It would allow an appraisal district to disclose confidential information in order to prove appraisal equality as long as the district did not identify a specific property or property owner. This bill is also discussed under the heading, *Appraisal District Litigation and Arbitration*.

S.B. 955
Author: Bettencourt
Amends/Enacts: §41.03
Status: Pending in Senate Property Tax Committee

A taxing unit could no longer file a challenge concerning appraised values.

S.B. 956
Author: Bettencourt
Amends/Enacts: §25.25 Tax Code
Status: Pending in Senate Property Tax Committee

On the motion of a property owner, an ARB could change an appraisal roll to correct an inaccuracy in the appraised value of the owner's personal property that was the result of an error or omission in a rendition statement or property report. This bill is virtually identical to H.B. 1081 discussed above.

S.B. 1146
Author: Fallon
Amends/Enacts: §6.035 Tax Code
Status: Filed

In a county with more than 20,000 people, an elected or appointed officer of a taxing unit located wholly or partly in that county could not serve as chief appraiser of the appraisal district that served that county. (Rudy Durham comes to mind)

S.B. 1227
Author: Bettencourt
Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.08, and 41.12 Tax Code
Status: Filed

Notices of appraised value for all types of property would be sent out by April 15. The chief appraiser would submit the appraisal records to the ARB by May 1. The chief appraiser would certify value estimates to taxing units by May 15. The ARB would approve the appraisal records by July 5, and the chief appraiser would certify appraisal rolls to taxing units by July 10. This bill is also discussed under the headings, *Exemptions, Appraisals, and Assessment*.

S.B. 1261
Author: Bettencourt
Amends/Enacts: §6.054 Tax Code
Status: Filed

An elected or appointed officer of a taxing unit located wholly or partly in a county could not serve as chief appraiser of the appraisal district that served that county.

Appraisal District Litigation and Arbitration

H.B. 2

Author: Burrows

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Pending in House Ways and Means Committee

This omnibus bill is virtually identical to S.B. 2, which is discussed below. It is also discussed under the headings, *Exemptions, Appraisals, Appraisal Districts and ARBs and 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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Public Education Committee

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.

H.B. 861

Author: Anchia

Amends/Enacts: §42.42 Tax Code

Status: Pending in House Ways and Means Committee

If a property owner filing an appeal under Chapter 42 paid less than the full assessment on her property and then owed more after the case was finally decided, she could pay the additional amount without penalties or interest as long as she paid it timely.

H.B. 994

Author: Guillen

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

Status: Pending in House Ways and Means Committee

In Atascosa County, a property owner could appeal an ARB order to a justice court. This bill is also discussed under the heading, *Appraisal Districts and ARBs*.

H.B. 1704

Author: Shaheen

Amends/Enacts: 41A.07 Tax Code

Status: Filed

Under current law, an arbitrator must wait five years before he can arbitrate a case involving an appraisal district if the arbitrator is; a former officer or employee of the district; a former ARB

member in the district's county; or a tax consultant who represented clients in that county. This bill would shorten the waiting period to two years.

H.B. 1745

Author: Geren

Amends/Enacts: §41.81 Tax Code

Status: Filed

A property owner or an agent could sue an appraisal district, a chief appraiser, or an ARB with a claim that the defendant(s) had not followed a "procedural requirement" of the Tax Code or of an ARB rule. No discovery would be allowed, and the trial court would have to hold a hearing on the earliest possible date. A successful owner or agent could recover attorney's fees, but a successful defendant could not.

H.B. 1802

Author: Bohac

Amends/Enacts: §41A.03 Tax Code

Status: Filed

A property owner who chooses to appeal an ARB order through arbitration now has 45 days in which to file his request and deposit. This bill would expand that period to 60 days.

H.B. 1816

Author: Beckley

Amends/Enacts: §41.43, 42.26 and 42.29 Tax Code

Status: Filed

This bill would end unequal-appraisal claims based on comparing appraised values. All unequal-appraisal analyses would have to compare appraisal ratios. A party to an appeal could compare the appraisal ratio of the subject property to the median level of appraisal of a reasonable number of comparable properties in the appraisal district. The comparability of properties would be based on the factors set out in §23.013 for market-approach appraisals, location, square footage, etc. The comparison would be based on the appraised values submitted to the ARB by the chief appraiser, not values that had been changed after submission. A property owner would have to prove that the appraised value of its property was at least 10% higher than the median level of appraisal. If the appraisal district prevailed, it could recover attorney's fees up to \$15,000. The comptroller would adopt rules governing adjustments to values of industrial properties, refineries, utility properties, and other unique properties. This bill is also discussed under the heading, *Appraisal Districts and ARBs*.

H.B. 2200

Author: Wray

Amends/Enacts: §42.23 Tax Code

Status: Filed

In 2015 the legislature passed a bill saying that when an appraisal district employee testifies in an appeal about the value of real property, the court may give "preference" to the testimony of an appraisal district's employee who is a real-estate appraiser licensed or certified by the TALCB. That provision is not scheduled to take effect until 2020. This bill would repeal it before it takes effect.

H.B. 2574**Author: Burrows****Amends/Enacts: §§1.085, 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. 2**Author: Bettencourt****Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code****Status: Passed by Senate Property Tax Committee; pending in full Senate**

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.

The comptroller would not have to appoint an arbitrator who lived in the county where the property was located. The property owner requesting the arbitration could specify whether he wanted an arbitrator in the situs county or an arbitrator outside that county. The comptroller would have to follow the property owner's instructions if possible.

This bill is also discussed under the headings, *Exemptions, Appraisals, Appraisal Districts and ARBs* and *Miscellaneous*.

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: Pending in Senate Property Tax Committee

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: Pending in Senate Property Tax Committee

In Atascosa County, a property owner could appeal an ARB order to a justice court. The bill is virtually identical to H.B. 994. It is also discussed under the heading, *Appraisal Districts and ARBs*.

S.B. 449

Author: Creighton

Amends/Enacts: §42.23 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerning courtroom testimony by an appraisal district's employee is virtually identical to H.B. 2200 discussed above.

S.B. 635

Author: Flores

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

Status: Pending in Senate Property Tax Committee

In a county with fewer than 120,000 people, a property owner could appeal an ARB order to a justice court. This bill is also discussed under the heading, *Appraisal Districts and ARBs*.

S.B. 853

Author: Johnson

Amends/Enacts: §41.43, and 42.26 Tax Code

Status: Pending in Senate Property Tax Committee

This bill would end unequal-appraisal claims based on comparing appraised values. It is very similar to H.B. 1816 discussed above, but it would not allow an appraisal district to recover attorney's fees. This bill is also discussed under the heading, *Appraisal Districts and ARBs*.

S.B. 854

Author: Johnson

Amends/Enacts: §42.29 Tax Code

Status: Pending in Senate Property Tax Committee

A property owner could recover attorney's fees in an appeal only if the value set by the court were less than 90% of the appraisal-roll value. An appraisal district could recover attorney's fees if the value set by the court were at least 10% greater than the appraisal-roll value.

S.B. 1029

Author: Hall

Amends/Enacts: §41A.07 Tax Code

Status: Filed

Under current law certain arbitrators who have some connection to a particular appraisal district have to wait five years before they can arbitrate cases involving that appraisal district. This applies to former officers and employees of the district, former members of the ARB, and tax consultants who appeared before the ARB. This bill would shorten the waiting period to two years. The bill is almost identical to H.B. 1704 discussed above.

Assessment

H.B. 2

Author: Burrows

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Pending in House Ways and Means Committee

This omnibus bill is virtually identical to S.B. 2, which is discussed below. It is also discussed under the headings: *Exemptions; Appraisals; Appraisal Districts and ARBs; Appraisal District Litigation and Arbitration; and Miscellaneous.*

H.B. 163

Author: Canales

Amends/Enacts: §23.55 Tax Code

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 26

Author: Geren

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

Status: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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 thee 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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

H.J.R. 41

Author: Neave

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

Status: Pending in House Ways and Means Committee

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.

H.B. 735

Author: VanDeaver

Amends/Enacts: §26.08 Tax Code

Status: Pending in House Public Education Committee

This bill would make some changes in the way that some school districts calculate their rollback rates. It would apply to a district: 1) that had a 2005 M&O rate of \$1.50 or less; and 2) whose voters had approved its tax rate in an election in 2006 or in any subsequent year. In addition to calculating a rollback rate as provided by current law, the district would also calculate an alternative rollback rate equal to the highest M&O rate it had adopted in 2007 or any subsequent year in which its adopted rate was approved by its voters, plus its current debt rate. The district would use the higher of the two rollback rates. This rule would apply only to a district that had at some time during the preceding ten years adopted a rate higher than the new alternative rollback rate. The comptroller would study the effects of the bill.

H.B. 794

Author: Phil King

Amends/Enacts: §§ 1.07, 23.20, 23.52, 23.524, 23.55, 23.551, 23.58, 31.01, 41.41, and 41.44 Tax Code; 60.022 Agriculture Code; §21.0421 Property Code

Status: Pending in House Ways and Means Committee

This bill would end rollback taxes on open-space agricultural land.

H.B. 821

Author: Leach

Amends/Enacts: §31.01 Tax Code

Status: Pending in House Ways and Means Committee

This bill would require a school district's tax bills to include information about how the Robin Hood system affects the district. It is virtually identical to H.B. 569 and S.B. 328.

H.B. 841

Author: Bucy

Amends/Enacts: §26.08 Tax Code

Status: Pending in House Public Education Committee

This bill concerning school districts' rollback rates is virtually identical to H.B. 735 discussed above.

H.B. 913

Author: Shaheen

Amends/Enacts: §§26.04 and 26.041 Tax Code; §8876.152 Special District Local Laws Code; §49.236 and 49.2361 Water Code

Status: Pending in House Ways and Means Committee

The figure of 1.08 in the rollback tax rate calculation would be replaced with 1.04.

H.B. 959

Author: Julie Johnson

Amends/Enacts: §26.08 Tax Code

Status: Pending in House Public Education Committee

This bill concerning school districts' rollback rates is virtually identical to H.B. 735 and H.B. 841 discussed above.

H.B. 1032

Author: Bohac

Amends/Enacts: §§11.26, 11.261, 23.19, and 26.012 Tax Code; §42.302 Education Code

Status: Pending in House Ways and Means Committee

H.J.R. 53

Author: Bohac

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

Status: Pending in House Ways and Means Committee

The freeze that now applies to school taxes on the homesteads of people who are over 65 or disabled would apply to taxes by all taxing units. Additionally, the surviving-spouse provision that now applies to homesteads of people over 65 would also apply to homesteads of disabled people. This proposed constitutional amendment and related bill are virtually identical to H.B. 322 and H.J.R. 26 discussed above.

H.B. 1062

Author: Wray

Amends/Enacts: §11.26 Tax Code

Status: Pending in House Ways and Means Committee

H.J.R. 54

Author: Wray

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

Status: Pending in House Ways and Means Committee

The freeze that applies to school taxes on the homestead of a disabled person could be inherited by the person's surviving spouse. But the bill would apply only where the disabled homeowner died after January 1, 2013.

H.B. 1102

Author: Bernal

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

Status: Pending in House Ways and Means Committee

H.J.R. 56

Author: Bernal

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

Status: Pending in House Ways and Means Committee

If the school taxes on a person's homestead increased by 120% or more over a fifteen-year period, the school taxes for subsequent years would be frozen for as long as the property remained the person's homestead. If the owner added improvements during the fifteen years, the additional taxes resulting from those new improvements would not count toward the 120% increase. If a person who qualified for the tax freeze died, his surviving spouse could inherit the benefit.

H.B. 1213

Author: Hefner

Amends/Enacts: §1.07, 23.20, 23.52, 23.55, 23.551, 23.58, 31.01, 41.41 and 41.44 Tax Code; §60.022 Agriculture Code; §21.0421 Property Code

Status: Pending in House Ways and Means Committee

This bill would do away with rollback taxes on open-space agricultural land

H.B. 1247

Author: Ashby

Amends/Enacts: §23.46 Tax Code

Status: Pending in House Land and Resource Management Committee

If 1-d agricultural land became subject to rollback taxes because it was condemned, this bill would make it clear that the condemning entity and not the former owner would be responsible for those taxes.

H.B. 1265

Author: Bailes

Amends/Enacts: §11.261 Tax Code

Status: Pending in House Ways and Means Committee

H.J.R. 60

Author: Bailes

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

Status: Pending in House Ways and Means Committee

If a homeowner received a tax freeze from a city, a county, or a junior college district, the homeowner could transfer the freeze to another homestead in a different city, county or junior college district, as long as the taxing unit in which the new homestead was located granted tax freezes.

H.B. 1743

Author: Tracy King

Amends/Enacts: §§23.55 and 23.76 Tax Code

Status: Filed

The rollback tax on open-space agricultural land would recapture three years of lost taxes, not five years. The interest rate on the rollback tax would drop from 7% to 5%. The same would be true for rollback taxes on timberland.

H.B. 1970

Author: Hefner
Amends/Enacts: §23.55 Tax Code
Status: Filed

The rollback tax on open-space agricultural land would recapture two years of lost taxes, not five years.

H.B. 1978
Author: Harris
Amends/Enacts: §§1.07, 23.20, 23.46, 23.465, 23.47, 23.52, 23.524, 23,545, 23.55, 23.551, 23.58, and 31.01 Tax Code; §60.022 Agriculture Code; §21.0421 Property Code
Status: Filed

This bill would end rollback taxes on agricultural land. An appraisal district would still be responsible for determining when a change of use had occurred and would deliver notice to the property owner as soon as possible after making that determination.

A tax bill for agricultural land would have to state the market value of the land.

H.B. 2008
Author: Pacheco
Amends/Enacts: §§11.26, 23.19, and 26.012 Tax Code; §42.302 Education Code
Status: Filed

H.J.R. 77
Author: Pacheco
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. This proposed constitutional amendment and related bill are virtually identical to H.B. 322 and H.J.R. 26 and to H.B. 1032 and H.J.R. 53 discussed above.

H.B. 2395
Author: Lozano
Amends/Enacts: §§11.26, 11.261, and 23.23 Tax Code
Status: Filed

If a homestead property subject to a tax freeze is seriously damaged and then replaced, the freeze is lost if the new structure has a higher quality exterior than the original structure. This bill would eliminate that rule. The freeze could continue even if the replacement structure had a nicer exterior than the original. This bill is also discussed under the heading *Appraisal*.

H.B. 2431
Author: Springer
Amends/Enacts: §§26.01, 26.04, 26.042, 26.05, and 31.01 Tax Code; §502.401 Transportation Code
Status: Filed

A county could impose an additional fee of up to \$15 for registering a vehicle. A county that took that step would have to include the additional revenue in the calculation of its effective and rollback tax rates in the first year. That would have the effect of reducing those rates.

H.B. 2455

Author: Goldman

Amends/Enacts: §11.261 Tax Code

Status: Filed

Under current law, a county, a city or a junior college district may apply a tax freeze for homesteads of people who are over 65 or disabled. This bill would extend that authority to regional water districts and hospital districts.

H.B. 2480

Author: Rosenthal

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

Status: Filed

H.J.R. 90

Author Rosenthal

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

Status: Filed

A taxing unit could grant tax freezes for low-income homeowners in a homestead preservation district. In order to qualify, a homeowner would have to have a household income no greater than 60% of the area median family income, adjusted for household size, for the metropolitan statistical area in which the residence homestead was located, as determined by HUD. The taxes on the property could not go up from year to year.

S.B. 2

Author: Bettencourt

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Passed by Senate Property Tax Committee; pending in full Senate

Effective tax rates would be renamed “no-new-revenue” rates. A taxing unit’s TAC would submit the unit’s appraisal roll to the governing body by July 15 along with an anticipated collection rate. That rate could not be lower than the taxing unit’s lowest actual collection rate in the preceding three years, and it could be higher than 100%. A taxing unit would have to calculate its rates using electronic forms prescribed by the comptroller. The rollback tax rate for a taxing unit (other than a “small taxing unit”) would be calculated by multiplying the unit’s no-new-revenue m&o tax rate by 1.025 and adding the unit’s debt rate. A small taxing unit would be defined as a unit other than a school district proposing to levy property taxes in an amount that, added to its sales-tax

revenues for the last four quarters would total \$15 million or less. A small taxing unit could use 1.08 in its rollback rate calculation. Any taxing unit could use 1.08 if any part of the unit were in a declared disaster area. The TAC or other person doing the calculations would have to certify on the tax rate calculation forms that she had accurately calculated the tax rates and has used values that were the same as the values shown in the unit's certified appraisal roll.

The person doing the calculations would submit the no-new-revenue and rollback rates to the governing body by July 22. The calculations would have to be provided to the County TAC and included as an appendix to the taxing unit's budget. The calculations and rates would have to be included in the appraisal district's real-time tax rate Internet database. By July 22, the appraisal district's tax rate officer would notify each property owner by mail or e-mail that tax estimates for any taxable property could be made using that database. The public notice of those rates would have to be published *or posted on the unit's website* by July 27. These steps would have to occur before a taxing unit's governing body could adopt a tax rate.

A taxing unit's governing body could not hold a public hearing until the fourteenth day after the rate calculations were entered into the appraisal district's database. The notice of public hearings on a proposed tax rate would be modified and the particulars would depend on whether the unit was a small taxing unit and on whether proposed rate exceeded the rollback rate, the equivalent rate or both. Any type of notice would have to include a complicated table comparing rates and taxes on an average homestead for the preceding year with those proposed for the current year. The governing body's meeting to vote on the proposed tax rate would have to occur between three and seven days following the second public hearing.

A tax rate that exceeded the unit's rollback rate would have to be adopted before August 15. The order calling for the election would have to be issued no later than August 15. The rules for rollback elections would remain unchanged for school districts. Any other taxing unit would have to hold an election any time its governing body adopted a tax rate that exceeded the unit's rollback rate. An election would have to occur on a uniform election date in November. If the voters did not affirmatively approve the rate adopted by governing body, that rate would be thrown out, and the unit could not adopt a rate that exceeded its rollback rate.

The alternative truth-in-taxation procedures now available for cities and counties under §140.010 of the Local Government Code would be repealed. Cities and counties would have to follow the Tax Code's procedures.

A property could sue a taxing unit claiming that the unit had not followed TNT procedures. The suit could be filed up to 15 days after the adoption of the unit's tax rate. The owner would not be required to pay taxes while his suit was pending. If he did pay taxes and then prevailed in the suit, he could recover his attorney's fees and court costs from the taxing unit.

Every county would be required to maintain an Internet website and post the tax-rate information now required by §26.16 plus the worksheets used to calculate equivalent rates and rollback rates for every taxing unit in the county. The county would also post contact information for every member of a taxing unit's governing body. Additionally, every taxing unit would have to have a website and post financial and tax-rate information along with contact information for the members of its governing body.

This bill is also discussed under the headings: *Exemptions; Appraisals; Appraisal Districts and ARBs; Appraisal District Litigation and Arbitration; and Miscellaneous.*

S.B. 328

Author: Seliger

Amends/Enacts: §31.01 Tax Code

Status: Pending in Senate Property Tax Committee

This bill would require a school district's tax bills to include information about how the Robin Hood system affects the district. It is virtually identical to H.B. 569 and H.B. 821.

S.B. 463

Author: Campbell

Amends/Enacts: §§44.004, 44.005, and 44.0051 Education Code

Status: Pending in Senate Education Committee

A school district's adopted budget would have to include a cover page stating (in large type) whether the budget would raise more or less property-tax revenue than the preceding year's budget. The cover page would also have to include extensive tax-rate information for the current year and the preceding year and other financial information. It would have to include the votes of each trustee on the budget and on the district's tax rate. The budget, including the cover page would have to be posted on the district's website for at least three years.

S.B. 484

Author: Menendez

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

Status: Pending in Senate Property Tax Committee

S.J.R. 33

Author: Menendez

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

Status: Pending in Senate Property Tax Committee

Under this proposed constitutional amendment and related bill, the school taxes on a homestead would be frozen if they had increased by 120% or more over a fifteen-year period. These proposals are virtually identical to H.B. 1102 and H.J.R. 56 discussed above.

S.B. 555

Author: Schwertner

Amends/Enacts: §23.46 Tax Code

Status: Pending in Senate Property Tax Committee

This bill concerning rollback taxes on 1-d land is virtually identical to H.B. 1247 discussed above.

S.B. 600

Author: Buckingham

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.07, 26.08, 26.16, 31.12, 33.08 and 41.12 Tax Code; §130.016 Education Code; §281.124 Health and Safety Code; §140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws; §§49.107, 49.108, 49.236, and 49.2361 Water Code

Status: Pending in Senate Property Tax Committee

A taxing unit's TAC would submit the appraisal roll and an anticipated collection rate to the unit's governing body by July 15. The person calculating the effective and rollback tax rates would have to do that by July 22 and publish notice of those rates by July 27. If the unit's governing body held public tax-rate hearings, it would have to vote on the tax rate within seven days after the second hearing. If the governing body wanted to adopt a tax rate higher than the rollback tax rate, it would have to do so before August 15.

Any taxing unit would automatically have to hold a ratification election any time its governing body adopted a rate higher than the rollback tax rate. The election would have to occur on the November uniform election date.

This bill is also discussed under the headings, *Exemptions, Appraisals, and Appraisal Districts and ARBs*.

S.B. 894

Author: Creighton

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

Status: Pending in Senate Property Tax Committee

This bill would shorten the ag rollback period to three years. It is virtually identical to H.B. 614 discussed above.

S.B. 1227

Author: Bettencourt

Amends/Enacts: §§11.4391, 22.23, 25.19, 25.22, 26.01, 26.04, 26.05, 26.06, 26.08, and 41.12 Tax Code

Status: Filed

A taxing unit's TAC would submit the appraisal roll and an anticipated collection rate to the governing body by July 15. Rates would be submitted by July 22. July 27 would be the target date for publishing the notice of effective and rollback tax rates. If the governing body were going to adopt a rate that exceeded the rollback rate, it would have to do so by August 15. If the governing body had to hold public hearings on the proposed tax rate, it would have to vote to adopt that rate no later than the seventh day after the second hearing.

If a school district needed to hold a tax-rate ratification election, the board would have to order the election by August 15, and the election would be held on the November uniform election date. An emergency election could be held on another uniform election date.

This bill is also discussed under the headings, *Exemptions, Appraisals, and Appraisal Districts and ARBs*.

S.B. 1395

Author: Seliger

Amends/Enacts: §§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, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.108, 49.236 Water Code

The rules for rollback elections would remain unchanged for school districts. Any other taxing unit would have to hold an election any time its governing body adopted a tax rate that exceeded the

unit's rollback rate. If the voters did not affirmatively approve the rate adopted by governing body, that rate would be thrown out, and the unit could not adopt a rate that exceeded its rollback rate.

Collections

H.B. 240

Author: Bernal

Amends/Enacts: §31.031 Tax Code

Status: Pending in House Ways and Means Committee

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.

H.B. 715

Author: Ortega

Amends/Enacts: §214.004 Local Government Code

Status: Pending in House Urban Affairs Committee

The Local Government Code provides some options for certain cities dealing with dilapidated or vacant structures. The law allows a city to foreclose a lien on a property to recover the expenses of dealing with the property. Liens for delinquent property taxes can be foreclosed in the same way. This bill would delete the reference to property tax liens. Those liens could no longer be foreclosed using the Local Government Code's procedures.

H.B. 1148

Author: Murphy

Amends/Enacts: §§33.06 and 33.065 Tax Code

Status: Pending in House Ways and Means Committee

The interest rate on deferred or abated homestead taxes would drop from 5% to the five-year Constant Maturity Treasury Rate reported by the Federal Reserve as of January 1 of the year in which the deferral or abatement was obtained. That would be about 2.5% for 2019. For a deferral that began in 2013, it would be 0.81 percent.

H.B. 1652

Author: Huberty

Amends/Enacts: §34.05 Tax Code

Status: Filed

A taxing unit reselling a property acquired in a tax sale could conduct an online auction using the same procedures that apply to tax sales conducted online. Online resales would require approval by the county's commissioners' court.

H.B. 1885

Author: Greg Bonnen

Amends/Enacts: §§33.011 Tax Code

Status: Filed

The governing body of a taxing unit could waive penalties and interest on delinquent taxes on a mortgaged property if: the mortgage did not require the owner to fund an escrow account for taxes; the mortgagee failed to send the owner a copy of the tax bill; and the owner paid the taxes within 21 days after of learning of the delinquency.

H.B. 2124

Author: Bailes

Amends/Enacts: §21.25 Tax Code

Status: Filed

If omitted property were added to a taxing unit's rolls, the governing body could choose not to collect all or part of the taxes, penalties and interest on that property. The governing body could also choose to authorize the TAC to enter a payout arrangement with the property owner. This bill is also discussed under the heading, *Appraisals*.

H.B. 2650

Author: Goodwin

Amends/Enacts: §34.01 Tax Code

Status: Filed

The recoverable costs of a tax sale would include the commission and fees paid to a licensed auctioneer.

H.B. 2770

Author: Martinez Fischer

Amends/Enacts: §3.031 Tax Code

Status: Filed

This bill would do away with the right of people over 65 to pay their homestead taxes in four installments. It would create a new installment payment program for homeowners receiving disability homestead exemptions and/or disabled veterans' exemptions. Such a person could pay the taxes on the exempt property in ten installments. The first payment would be made before February 1, and the other payments would be made before the first days of the next nine months.

S.B. 434

Author: Hinojosa

Amends/Enacts: §11.43 Tax Code

Status: Pending in Senate Property Tax Committee

S.J.R. 31

Author: Hinojosa

Amends/Enacts: Art. VIII, §15 Texas Constitution

Status: Pending in Senate Property Tax Committee

If an appraisal district retroactively canceled an exemption after the property had been sold to a new owner in an arm's length transaction, the taxing units could not enforce their tax liens against the property. If the seller and the purchaser were closely related, the tax lien would survive the transfer.

S.B. 738

Author: Hughes

Amends/Enacts: §§33.06 and 33.065 Tax Code
Status: Pending in Senate Property Tax Committee

The interest rate on deferred or abated homestead taxes would drop from 5% to the five-year Constant Maturity Treasury Rate reported by the Federal Reserve as of January 1 of the year in which the deferral or abatement was obtained. This bill is virtually identical to H.B. 1148 discussed above.

S.B. 1285
Author: Bettencourt
Amends/Enacts: §34.01 Tax Code
Status: Filed

The recoverable costs of a tax sale would include the commission and fees paid to a licensed auctioneer. This bill is virtually identical to H.B. 2650.

S.B. 1007
Author: Bettencourt
Amends/Enacts: §31.072 Tax Code
Status: Pending in Senate Property Tax Committee

Current law includes a little-used provision allowing a property owner and a tax office to enter into an agreement that requires the property owner to make monthly deposits into an escrow account for the eventual payment of his taxes. This bill would require the tax office to enter an escrow agreement at the request of a property owner. The owner could but would not have to deposit money into the escrow account any time he chose. The escrow agreement would include an estimate of the taxes to be assessed and the amount that the property owner would pay each month if he opted to make monthly payments.

S.B. 1280
Author: West
Amends/Enacts: §33.065 Tax Code
Status: Filed

The Tax Code includes a little-used provision that allows a person to defer paying part of the taxes on his homestead if the appraised value of the homestead increases by more than 5% from one year to the next. This bill would reduce the interest rate that applies to the deferred taxes from 8% to 5%. It would also eliminate the use of the word *delinquent* in reference to deferred taxes.

S.B. 1652
Author: Bettencourt
Amends/Enacts: §34.05 Tax Code
Status: Filed

A taxing unit reselling a property acquired in a tax sale could conduct an online auction. This bill is virtually identical to H.B. 1652 discussed above.

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: Pending in House Public Education Committee**

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: Pending in House Ways and Means Committee**

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: Pending in House Public Education Committee

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: Pending in House Public Education Committee

H.J.R. 24
Author: Geren
Amends/Enacts: Art. III, §49a and Art. VIII, §1, Texas Constitution
Status: Pending in House Public Education Committee

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.

H.B. 664
Author: Ken King
Amends/Enacts: §41.0932 Education Code
Status: Pending in House Public Education Committee

A wealthy school district would never have to have to pay more than sixty-percent of its m&o tax revenues into the Robin Hood system.

H.B. 665
Author: Ken King
Amends/Enacts: §§41.004 and 42.252 Education Code
Status: Pending in House Public Education Committee

The TEA would determine the wealth per student of a school district using the *estimate* of the district's taxable value. A district's share of the Foundation School Program would be determined using the district's taxable value for the *current* year instead of the preceding year.

H.B. 708
Author: Landgraf
Amends/Enacts: §41.094 Education Code
Status: Pending in House Public Education Committee

A wealthy school district purchasing attendance credits from the state could pay in one lump sum instead of making monthly payments. A district choosing the lump-sum option would have to notify the TEA by February 15 and make its payment by August 15.

H.B. 711
Author: Landgraf

Amends/Enacts: §§41.002, 42.012, 42.25271, 42.25272, 42.25273, 42.302, 46.003, and 46.032 Education Code

Status: Pending in House Public Education Committee

Every year, the TEA would determine the share of the FSP's costs funded by attendance credits. A school district's funding would be reduced proportionally unless the district assessed m&o taxes at the greatest allowable rate. The TEA would adjust a school district's value as necessary to ensure that the district did not exceed the equalized wealth level if the district had a campus that received federal funding under a concentration grant. The bill also includes protections for districts that have collection problems caused by a high prevalence of minerals. The TEA would adjust the taxable value in such a school district to ensure that the district did not exceed the equalized wealth level. The districts benefitting from such adjustments would be identified by a select legislative committee consisting of House and Senate members.

H.B. 712

Author: Landgraf

Amends/Enacts: §§21.01, 21.02, 25.25, 26.08, and 312.210 Tax Code; Chapter 41 and §§7.055, 8.056, 12.013, 12.029, 13.054, 21.410, 21.411, 21.412, 21.413, 25.081, 29.087, 29.203, 37.0061, 42.009, 42.158, 42.160, 42.2511, 42.2518, 42.2521, 42.2523, 42.2524, 42.253, 42.2531, 42.258, 42.260, 45.251, 45.261 Education Code; §403.302 Government Code; §1579.251 Insurance Code

Status: Pending in House Public Education Committee

This bill would repeal Chapter 41, the Robin Hood system in its entirety. It would not provide any substitute.

H.B. 968

Author: Mary Gonzales

Amends/Enacts: §§311.011 and 311.013 Tax Code; §§7.062 and 42.2522 Education Code; §403.302 Government Code

Status: Pending in House Public Education Committee

Local-option percentage homestead exemptions would no longer be considered in determining the wealth of a school district under the Robin Hood system.

H.B. 1034

Author: Bohac

Amends/Enacts: §§21.01, 21.02, 25.25, 26.08, and 312.210 Tax Code; Chapter 41 and §§7.055, 8.056, 12.013, 12.029, 13.054, 21.410, 21.411, 21.412, 21.413, 25.081, 29.087, 29.203, 37.0061, 42.009, 42.158, 42.160, 42.2511, 42.2518, 42.2521, 42.2523, 42.2524, 42.253, 42.2531, 42.258, 42.260, 45.251, 45.261 Education Code; §403.302 Government Code; §1579.251 Insurance Code

Status: Pending in House Public Education Committee

This bill would repeal Chapter 41, the Robin Hood system in its entirety. It would not provide any substitute. It is virtually identical to H.B. 712 discussed above.

H.B. 1077

Author: White

Amends/Enacts: §§151.051 and 151.803 Tax Code; §§41.002, 42.101, 42.302, and 45.003 Education Code

Status: Pending in House Ways and Means Committee

Generally, this bill would raise the state's sales-tax rate by 1% with the additional money going to the foundation school fund. The state would use the money to buy down school districts' compressed m&o tax rates. The basic allotment of \$4,765 would go up to \$5,140. Beginning in the 2020-2021 school year, the basic allotment would be the adjusted in light of the additional sales-tax revenues and the buy-down of tax rates.

H.B. 1796

Author: Raymond

Amends/Enacts: §42.101 Tax Code

Status: Filed

The basic allotment (now, \$4,765) would be adjusted each year to account for inflation. The comptroller would determine the inflation rate based on the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics.

H.B. 2537

Author: Oliverson

Amends/Enacts: §403.109 Government Code

Status: Filed

The comptroller would deposit into the Property Tax Relief Fund general revenue in an amount equal to 90 percent of the amount by which the amount of general revenue received in a state fiscal biennium exceeded 104 percent of the total amount of general revenue that was received during the preceding state fiscal biennium. The amount deposited could be used only school tax reduction.

H.J.R. 43

Author: Howard

Amends/Enacts: Art. VII, §3A Texas Constitution

Status: Filed

The basic allotment under the Foundation School Program would change from year to year at the same rate as the total taxable value of property in the state. If the total taxable value increased by, say, 10% from one year to the next, the basic allotment would also increase by 10%. The basic allotment, however, could not be less than the amount of the basic allotment established by the legislature by statute.

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: Pending in Senate Education Committee

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

S.B. 343

Author: Watson

Amends/Enacts: §31.01 Tax Code

Status: Pending in Senate Property Tax Committee

If a wealthy school district purchased attendance credits, a tax bill from the district would have to specify how much of the taxes on the property would go for m&o, for debt payments and for purchasing attendance credits. In a district that received state aid under Chapter 42, a tax bill would have to specify how much of the taxes on the property were effectively paid by the state aid.

S.B. 660

Author: Kolkhorst

Amends/Enacts: §41.0025 Education Code

Status: Pending in Senate Education Committee

This bill concerns the values of property in certain school districts affected by disasters. It would not affect school districts that already qualify to have their values adjusted under other laws. At the request of a school district, the TEA would use the lesser of the taxable value for: 1) the tax year immediately following the disaster; or 2) the tax year in which the disaster occurred, adjusted by the average reduction of property values in the district immediately following the disaster. The average reduction would be based on information from the appraisal district.

S.B. 689

Author: Paxton

Amends/Enacts: §§21.01, 21.02, 25.25, 26.08, and 312.210 Tax Code; Chapter 41 and §§7.055, 8.056, 12.013, 12.029, 13.054, 21.410, 21.411, 21.412, 21.413, 25.081, 29.087, 29.203, 37.0061, 42.009, 42.158, 42.160, 42.2511, 42.2518, 42.2521, 42.2523, 42.2524, 42.253, 42.2531, 42.258, 42.260, 45.251, 45.261 Education Code; §403.302 Government Code; §1579.251 Insurance Code

Status: Pending in Senate Education Committee

This bill would repeal Chapter 41, the Robin Hood system in its entirety. It would not provide any substitute. It is virtually identical to H.B. 712 and H.B. 1034 discussed above.

S.B. 852

Author: Johnson

Amends/Enacts: §42.25191 Education Code

Status: Pending in Senate Education Committee

S.J.R. 40

Author: Johnson

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

Status: Pending in Senate Education Committee

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. They are virtually identical to H.B. 462 and H.J.R. 24 discussed above.

S.B. 1141

Author: Watson

Amends/Enacts: §42.25191 Education Code

Status: Filed

S.J.R. 48

Author: Watson

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

Status: Filed

This is another proposed constitutional amendment and related bill that 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. They are virtually identical to H.B. 462 and H.J.R. 24 and to S.B. 852 and S.J.R. 40 discussed above.

S.B. 1161

Author: Kolkhorst

Amends/Enacts: §403.302 Government Code

Status: Filed

The TEA would subtract from a school district's taxable value only one-half of the portion of the market value of property not taxable because of a value-limitation agreement under the Economic Development Act.

Miscellaneous

H.B. 2

Author: Burrows

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Pending in House Ways and Means Committee

This omnibus bill is virtually identical to S.B. 2, which is discussed below. It is also discussed under the headings, *Exemptions, Appraisals, Appraisal Districts and ARBs, and 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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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: Pending in House Ways and Means Committee

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

H.B. 705

Author: Geren

Amends/Enacts: §§ 26.012, 31.01, 328.0001, 328.0101, 328.0102, 328.0103, and 328.0151 Tax Code

Status: Pending in House Ways and Means Committee

A county, through an election, could adopt an additional one-percent sales tax and use the revenue to reduce its property tax rate.

H.B. 845

Author: Lozano

Amends/Enacts: §313.024 Tax Code

Status: Pending in House Ways and Means Committee

A water desalination project could qualify for a school-tax value limitation under the Economic Development Act.

H.B. 2129

Author: Murphy

Amends/Enacts: §313.007 Tax Code

Status: Filed

The life of the Economic Development Act would be extended by ten years, until the end of 2032.

H.B. 2359

Author: Sanford

Amends/Enacts: §312.204 and 313.024 Tax Code

Status: Pending in House Ways and Means Committee

A gambling establishment such as a casino or race track could not receive a tax abatement or a school district value limitation. This bill is also discussed under the heading *Exemptions*.

H.B. 2435

Author: Smith

Amends/Enacts: §25.021 Tax Code

Status: Filed

A federal or state judge may request that her home address in tax records be kept confidential. The Tax Code currently incorporates by reference a definition of “federal or state judge” from the Government Code. This bill would delete that incorporated definition and the law would simply refer to a “federal or state judge.”

H.B. 2438

Author: Phelan

Amends/Enacts: §312.006 and 313.007 Tax Code

Status: Pending in House Ways and Means Committee

The life of the Economic Development Act would be extended by ten years, until the end of 2032. This bill is also discussed under the heading *Exemptions*.

H.B. 2494

Author: Jessica Gonzales

Amends/Enacts: §§311.003, 311.006, and 311.016 Tax Code

Status: Filed

This bill concerns reinvestment zones created for purposes of tax increment financing. A city contemplating such a zone would have to prepare an affordable housing impact statement at least sixty days before the city council held its public hearing. The statement would have to include estimates of the impact on the proposed zone on affordable housing over the course of thirty years. The bill also includes provisions that would apply in Dallas only.

H.B. 2574

Author: Burrows

Amends/Enacts: §§1.085, 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” of at least six members to give him advice concerning his property-tax responsibilities. The board would have to include representatives of taxpayers, appraisal districts, and school districts and somebody with knowledge of ratio studies. The Comptroller's Property Value Study Advisory Committee would cease to exist.

This bill is also discussed under the headings, *Appraisal Districts and ARBs*, and *Appraisal District Litigation and Arbitration*.

H.B. 2617

Author: Cole

Amends/Enacts: §140.012 Local Government Code

Status: Filed

A political subdivision created on or after September 1, 2019, that had the authority to impose a tax would have to have the same fiscal year as the county in which it was located.

H.B. 2799

Author: Sanford

Amends/Enacts: §§312.2035,312.207, and 313.025 Tax Code; §§552.131 and 551.087

Government Code

Status: Filed

Presently, the Economic Development Act includes a provision that allows a school district to waive new-jobs-creation requirements if the school board makes a finding that those requirements exceed the industry standard for the number of employees reasonably necessary for the operation of the facility. This bill would repeal that provision. This bill is also discussed under the heading, *Exemptions*.

S.B. 2

Author: Bettencourt

Amends/Enacts: §§1.085, 5.01, 5.041, 5.043, 5.05, 5.07, 5.091, 5.102, 5.103, 5.104, 5.13, 6.035, 6.05, 6.15, 6.41, 6.412, 6.414, 6.42, 6.425, 11.4391, 22.23, 23.01, 25.19, 25.22, 26.01, 26.012, 26.04, 26.041, 26.043, 26.044, 26.0441, 26.05, 26.052, 26.06, 26.061, 26.065, 26.07, 26.08, 26.16, 26.17, 26.18, 31.12, 33.08, 41.03, 41.12, 41.44, 41.45, 41.46, 41.461, 41.66, 41.67, 41.71, 41A.06, 41A.061, 41A.07, and 41A.09 Tax Code; §§45.105 and 130.016 Education Code; §403.302 Government Code; §281.124 Health and Safety Code; §§102.007, 111.008, 111.039, 111.068, and 140.010 Local Government Code; §§1063.255, 1101.254, 1122.2522, 3828.157, and 8876.152 Special District Local Laws Code; §§49.107, 49.236, 49.2361, 49.239 Water Code

Status: Passed by Senate Property Tax Committee; pending in full Senate

The comptroller would appoint a “property tax administration advisory board” of at least six members to give him advice concerning his property-tax responsibilities. The board would have to include representatives of taxpayers, appraisal districts, and school districts and somebody with knowledge of ratio studies. The Comptroller's Property Value Study Advisory Committee would cease to exist.

The comptroller would also maintain a statewide list of tax rates for all taxing units. The information would come from appraisal districts.

This bill is also discussed under the headings, *Exemptions, Appraisals, Appraisal Districts and ARBs*, and *Appraisal District Litigation and Arbitration*.

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: Pending in Senate Property Tax Committee

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*.

S.B. 410

Author: Hughes

Amends/Enacts: §§171.701, 171.702, 171.703, 171.704, 171.705, 171.706, and 171.707 Tax Code

Status: Pending in Senate Finance Committee

Property owners paying property taxes on most retail inventories would be entitled to offsetting credits against their state franchise taxes. This rule would not apply to dealers’ inventories subject to sales-based taxes.

S.B. 412

Author: Hughes

Amends/Enacts: §§171.701, 171.702, 171.703, 171.704, 171.705, 171.706, and 171.707 Tax Code

Status: Pending in Senate Finance Committee

Property owners paying property taxes on most retail inventories would be entitled to credits against their state franchise taxes. The amount of the credit would be the difference between: 1) the taxes actually paid by the retailer; and 2) the taxes the retailer would have paid if its inventory had been appraised based on sales. This rule would not apply to the inventories of auto dealers and the other dealers that are already subject to sales-based taxes.

S.B. 565

Author: Campbell

Amends/Enacts: §313.025 Tax Code

Status: Pending in Senate Natural Resources and Economic Development Committee

Under the Economic Development Act, a school district may waive the Act's new-jobs requirement under certain circumstances. This bill would repeal that law. A school district could not waive the requirement.

S.B. 728

Author: Kolkhorst

Amends/Enacts: §313.032 Tax Code

Status: Filed

Recipients of tax breaks under the Economic Development must provide certain data to the comptroller. This bill would require a recipient to have that data verified by a CPA. The data could be verified with "reliable sources," including appraisal districts and the Texas Workforce Commission.

S.B. 1278

Author: West

Amends/Enacts: §§311.003, 311.006, and 311.016 Tax Code

Status: Pending in Senate Natural Resources and Economic Development Committee

This concerning reinvestment zones created for purposes of tax increment financing is virtually identical to H.B. 2494 discussed above.

S.B. 1253

Author: Kolkhorst

Amends/Enacts: §§403.0241, 403.0242 Government Code; §140.008, 203.061, 203.062, and 203.063 Local Government Code

Status: Filed

The comptroller's Special Purpose District Public Information Database would be expanded to include information about all political subdivisions. That information would include the e-mail address of every member of a political subdivision's governing body. Every political subdivision would have to provide information to the comptroller's office.

S.B. 1309

Author: Bettencourt

Amends/Enacts: §§6.22, 6.23, 6.27 Tax Code; §§11.1511, 45.231, and 45.232 Education Code

Status: Filed

A school district's taxes would have to be assessed and collected by the county TAC. A district could not employ its own TAC. If a school district extended into more than one county, it would use the services of each county's TAC.

S.B. 1328

Author: Bettencourt

Amends/Enacts: §551.001 Government Code

Status: Filed

The board of directors of a reinvestment zone created for purposes of tax-increment financing would be subject to the Open Meetings Act.

