

# PROPERTY TAX BILLS IN THE 2023 TEXAS LEGISLATURE FOURTH SPECIAL SESSION

Last Updated: December 13, 2023

The 88<sup>th</sup> Texas Legislature has completed its fourth special at the call of Governor Abbott. No bills were passed. The governor directed legislators to consider:

- School finance including “education savings accounts,” commonly called vouchers;
- School safety measures; and
- Certain border and immigration issues

Some legislators, however, filed bills addressing other issues. None of them passed. The bills that we tracked are summarized below.

Of course, we will be happy to assist our clients who have questions about legislation.

## Exemptions

### H.B. 96

**Author: Cecil Bell**

**Amends/Enacts: §§11.13, 11.42, 11.43, 26.10, 26.112, and 33.01 Tax Code; §44.004, 46.071, and 48.2541 Education Code; §403.302 Government Code**

**Status: Filed**

### H.J.R. 93

**Author: Cecil Bell**

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

**Status: Filed**

This proposed constitutional amendment and related bill would totally exempt a homestead if the owner were 72 years old or older and had lived in the same homestead for at least ten years. If the homeowner died, his/her surviving spouse would inherit the exemption if the spouse were at least fifty-five.

## Appraisals

### H.B. 81

**Author: Cecil Bell**

**Amends/Enacts: §23.23 Tax Code**

**Status: Filed**

**H.J.R. 4**

**Author: Cecil Bell**

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

**Status: Filed**

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 5% per year.

## **Appraisal Districts and ARBs**

**H.B. 57**

**Author: Cecil Bell**

**Amends/Enacts: §41.43 Tax Code; §37.10 Penal Code**

**Status: Filed**

If the owner of residential real property produced an appraisal for the appraisal district at least 14 days before the owner's protest hearing and then introduced the appraisal at the hearing, the ARB would have to accept the value stated in the appraisal. The appraisal would have to come from state-certified appraiser, and it would have to be at least 180 days old by the time of the hearing. Even if the district spent the 14 days identifying dozens of mistakes in the appraisal, the ARB would still have to accept the appraised value.

**H.B. 102**

**Author: Cecil Bell**

**Amends/Enacts: §§1.15, 5.041, 5.042, 5.043, 6.035, 6.05, 6.0501, 6.052, 6.155, 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 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.

**S.B. 26**

**Author: Eckhardt**

**Amends/Enacts: §6.412 Tax Code**

**Status: Filed**

A public-school teacher could serve on an ARB. This would be an exception to the current law that prohibits all employees of taxing units from serving on ARBs.

## **Appeals**

## **Assessment**

## Collections

### School Finance and Value Studies

#### H.B. 1

**Author: Buckley**

**Amends/Enacts: §§12.106, 29.054, 30.003, 48.005, 48.0051, 48.051, 48.101, 48.1021, 48.1022, 48.103, 48.104, 48.105, 48.106, 48.108, 48.110, 48.111, 48.112, 48.114, 48.116, 48.118, 48.120, 48.151, 48.160, 48.161, 48.202, 48.257, 48.277, 48.284, 48.285, 48.286 Education Code**

**Status: Passed by House Special Committee on Educational Opportunity and Enrichment; pending in full House**

This is the House voucher bill. It would also make some other changes concerning public education, but it would not have a big impact on the activities of tax assessor-collectors. It would raise the basic allotment from \$6,160 to \$6,700 per student. It would give teachers a raise. The bill would also adjust or create several special allotments for school districts.

#### H.B. 21

**Author: Guillen**

**Amends: §49.1541**

**Status: Filed**

A wealthy school district purchasing attendance credits could pay early and receive a discount equal to about 1% per month.

#### H.B. 58

**Author: Cecil Bell**

**Amends/Enacts: §403.109 Government Code**

**Status: Filed**

At the end of each biennium, the comptroller would deposit into the Property Tax Relief Fund general revenue in an amount equal to half of the amount by which the total available general revenue for that biennium exceeded the amount of total available general revenue stated in the comptroller's biennial revenue estimate for that biennium.

#### H.B. 44

**Author: Isaac**

**Amends/Enacts: §§48.255, 48.2551, 48.2552, 48.2555 Education Code**

**Status: Filed**

A school district's maximum compressed tax rate could not be greater than the rate at which the district would receive the same m&o revenue that it received in the preceding year. The bill would repeal §48.2552 which allows a district to have a maximum compressed tax rate equal to 90% of another district's maximum compressed tax rate.

**H.B. 83**

**Author: Meyer**  
**Amends: §49.1541**  
**Status: Filed**

A wealthy school district purchasing attendance credits could pay early (no later than February 15) and receive a discount equal to about 4%.

**H.B. 85**

**Author: Leo-Wilson**  
**Amends/Enacts: §403.3011 Government Code**  
**Status: Filed**

Under current law, an “eligible school district” can qualify to have its local values accepted even though it fails a value study if has a recent history of valid local values. A school district can receive this benefit only if certain requirements are met. The school district’s appraisal district must have passed its most recent MAP review. Additionally, the aggregate local value of all of the categories of property sampled by the comptroller may not be less than 90 percent of the lower limit of the margin of error as determined by the comptroller. This bill would eliminate those requirements.

**S.B. 1**

**Author: Creighton**  
**Amends/Enacts: Chapter 29, Subchapter J Education Code**  
**Status: Passed by Senate; pending in House Select Committee on Educational Opportunity and Enrichment**

This is the Senate’s voucher bill. It is fairly straightforward and would not affect the assessment or collection of property taxes.

**S.B. 2**

**Author: Creighton**  
**Amends/Enacts: §§48.051, 48.112, 48.115, 48.202, and 48.277 Education Code**  
**Status: Passed by Senate; pending in House Select Committee on Educational Opportunity and Enrichment**

The basic allotment would rise from \$6,160 to \$6,235. There would also be some increase in Tier-2 funding. Teachers would get a raise. The bill would also adjust or create several special allotments for school districts.

**S.B. 11**

**Author: Johnson**  
**Amends/Enacts: §§48.051, 48.112, and 48.115 Education Code**  
**Status: Filed**

The basic allotment would rise from \$6,160 to \$7,365 and would adjust automatically for inflation. There would also be some increase in Tier-2 funding.

**S.B. 37**

**Author: Menéndez**  
**Amends/Enacts: §§48.005, 48.051, 48.052, 48.101, 48.102, 48.105, 48.112, 48.115, 48.153, 48.202, 48.277, 49.002, and 49.003 Education Code**

**Status: Filed**

This is a Democratic alternative to the Republican school bills, which means that it has little chance of being enacted. It does not include vouchers. The basic allotment would rise from \$6,160 to \$7,365 and would adjust automatically for inflation. There would also be some increase in Tier-2 funding. A district's funding would be based on its average enrollment instead of its average daily attendance. The bill would also adjust or create several special allotments for school districts.

**Miscellaneous**

**H.B. 56**

**Author: Vasut**

**Amends/Enacts: The whole Property Tax Code**

**Status: Filed**

This bill would eliminate property taxes. A joint legislative committee would study alternatives.