

AN ACT

relating to an appeal through binding arbitration of an appraisal review board order determining a protest concerning a residence homestead for which the property owner has elected to defer the collection of ad valorem taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 41A.10, Tax Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The pendency of an appeal under this chapter does not affect the delinquency date for the taxes on the property subject to the appeal. Except for a property owner who has elected to defer the collection of taxes under Section 33.06 or 33.065 on the property subject to the appeal and for which the deferral is still in effect, a [A] property owner who appeals an appraisal review board order under this chapter shall pay taxes on the property subject to the appeal in an amount equal to the amount of taxes due on the portion of the taxable value of the property that is not in dispute. If the final determination of an appeal under this chapter decreases the property owner's tax liability to less than the amount of taxes paid, the taxing unit shall refund to the property owner the difference between the amount of taxes paid and the amount of taxes for which the property owner is liable.

(c) For the purposes of Subsection (b) of this section, taxes are not considered delinquent on property subject to an

1 appeal if the property owner has elected to defer the collection of
2 taxes on the property under Section 33.06 or 33.065 and the deferral
3 is still in effect.

4 SECTION 2. The changes in law made by this Act apply only to
5 a request for binding arbitration under Chapter 41A, Tax Code, that
6 is filed on or after the effective date of this Act. A request for
7 binding arbitration under Chapter 41A, Tax Code, that is filed
8 before the effective date of this Act is governed by the law in
9 effect on the date the request is filed, and the former law is
10 continued in effect for that purpose.

11 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1854 passed the Senate on May 5, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1854 passed the House on May 26, 2021, by the following vote: Yeas 146, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor