

By: Shine

H.B. No. 4101

Substitute the following for H.B. No. 4101:

By: Noble

C.S.H.B. No. 4101

A BILL TO BE ENTITLED

AN ACT

relating to the matters that may be the subject of limited binding arbitration to compel compliance with procedural requirements related to protests before appraisal review boards.

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

SECTION 1. The heading to Section 41A.015, Tax Code, is amended to read as follows:

Sec. 41A.015. LIMITED BINDING ARBITRATION TO COMPEL COMPLIANCE WITH [~~CERTAIN~~] PROCEDURAL REQUIREMENTS RELATED TO PROTESTS.

SECTION 2. Section 41A.015(a), Tax Code, is amended to read as follows:

(a) A property owner who has filed a notice of protest under Chapter 41 may file a request for limited binding arbitration under this section to compel the appraisal review board or chief appraiser, as appropriate, to:

(1) comply with the hearing procedures adopted by the appraisal review board under Section 41.01(c) and rescind procedural rules adopted by the appraisal review board that are not in compliance with the model hearing procedures prepared by the comptroller under Section 5.103;

(2) schedule a hearing on a protest as required by Section 41.45;

(3) deliver information to the property owner in the

1 manner required by Section 41.461;

2 (4) allow the property owner to offer evidence,  
3 examine or cross-examine witnesses or other parties, and present  
4 arguments as required by Section 41.66(b);

5 (5) set a hearing for a time and date certain and  
6 postpone a hearing that does not begin within two hours of the  
7 scheduled time as required by Section 41.66(i);

8 (6) schedule hearings on protests concerning multiple  
9 properties identified in the same notice of protest on the same day  
10 at the request of the property owner or the property owner's  
11 designated agent as required by Section 41.66(j); or

12 (7) refrain from using or offering as evidence  
13 information requested by the property owner under Section 41.461  
14 that was not delivered to the property owner at least 14 days before  
15 the hearing as required by Section 41.67(d).

16 SECTION 3. The change in law made by this Act applies only  
17 to a request for limited binding arbitration under Section 41A.015,  
18 Tax Code, related to a protest under Chapter 41 of that code for  
19 which a notice of protest is filed by a property owner on or after  
20 the effective date of this Act. A request for limited binding  
21 arbitration related to a protest for which a notice of protest was  
22 filed by a property owner before the effective date of this Act is  
23 governed by the law in effect on the date the notice of protest was  
24 filed, and the former law is continued in effect for that purpose.

25 SECTION 4. This Act takes effect January 1, 2024.