

By: Shine

H.B. No. 4101

A BILL TO BE ENTITLED

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

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

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

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

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

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

17 (1) comply with the model hearing procedures prepared
18 by the comptroller under Section 5.103, including by rescinding
19 [~~rescind~~] procedural rules adopted by the appraisal review board
20 that are not in compliance with the model hearing procedures
21 [~~prepared by the comptroller under Section 5.103~~];

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

24 (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 (8) comply with the comptroller's Appraisal Review
17 Board Manual in use at the time the property owner filed a notice of
18 protest under Chapter 41; or

19 (9) comply with any other procedural requirement of
20 Chapter 41 relating to a protest under that chapter.

21 SECTION 3. This Act takes effect September 1, 2023.