

By: Hefner

H.B. No. 4130

A BILL TO BE ENTITLED

AN ACT

relating to the appraisal for ad valorem tax purposes of property owned by certain electric cooperatives.

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

SECTION 1. Subchapter B, Chapter 23, Tax Code, is amended by adding Section 23.1212 to read as follows:

Sec. 23.1212. PROPERTY OWNED BY ELECTRIC COOPERATIVE; VALUE. (a) In this section:

(1) "Electric cooperative" has the meaning assigned by Section 11.003, Utilities Code.

(2) "Presumptive appraised value" means the value equal to 20 percent of the net book value of taxable property on January 1 of a tax year.

(b) An electric cooperative that owns taxable real or personal property in more than one appraisal district may elect to have the property appraised for a tax year as provided by this section.

(c) To elect appraisal of property for a tax year under this section, an electric cooperative must submit a written request not later than the applicable deadline for filing a rendition statement or property report under Section 22.23 to the chief appraiser of each appraisal district for which the election is made. The request must state the net book value on January 1 of that tax year of the electric cooperative's taxable property in the appraisal district

1 for which the request is submitted as determined on the basis of the
2 electric cooperative's books and records.

3 (d) Except as provided by Subsection (e), a chief appraiser
4 who receives a request timely submitted under this section must
5 appraise the property that is the subject of the request at the
6 property's presumptive appraised value.

7 (e) A chief appraiser may increase the appraised value of an
8 electric cooperative's real and personal property to an amount
9 greater than the presumptive appraised value if the increase is
10 supported by clear and convincing evidence.

11 SECTION 2. This Act applies only to an ad valorem tax year
12 that begins on or after the effective date of this Act.

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