

By: Davis

H.J.R. No. 71

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature  
2 to provide for limitations on the appraised value of certain real  
3 property in specified areas for ad valorem tax purposes.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VIII, Texas Constitution, is amended by  
6 adding Sections 1-a-1 and 1-a-2 to read as follows:

7 Sec. 1-a-1. (a) Notwithstanding Sections 1(a) and (b) of  
8 this article and Section 56, Article III, of this constitution, the  
9 legislature by local law may authorize the governing body of one or  
10 more political subdivisions to adopt a temporary limitation on the  
11 appraised value for taxation by the political subdivision of one or  
12 more types of real property located in certain areas specified by  
13 law. Property subject to the limitation shall be taxed at the  
14 lesser of the appraised value of the property as otherwise  
15 determined by law or the appraised value of the property for the tax  
16 year preceding the tax year in which the limitation first applies.

17 (b) A law enacted under this section:

18 (1) must specify one or more areas to which the  
19 appraisal limitation authorized by this section applies;

20 (2) must prescribe the period for which the limitation  
21 applies, which may not be longer than 15 consecutive tax years;

22 (3) must prescribe the types of real property to which  
23 the limitation applies;

24 (4) may prescribe additional eligibility requirements

1 for the limitation; and

2 (5) may prescribe procedures for the administration of  
3 the limitation.

4 (c) Section 57, Article III, Texas Constitution, does not  
5 apply to a local law authorized by this section.

6 (d) This section expires January 1, 2040.

7 Sec. 1-a-2. (a) Notwithstanding Sections 1(a) and (b) of  
8 this article and Section 56, Article III, of this constitution, the  
9 legislature by local law may limit the maximum appraised value of a  
10 rapidly appreciating residence homestead located in certain areas  
11 specified by law for ad valorem tax purposes in a tax year to the  
12 lesser of the most recent market value of the property as determined  
13 by the appraisal entity or to the appraised value of the property  
14 for the 2017 tax year.

15 (b) A limitation on appraised values authorized by this  
16 section:

17 (1) takes effect as to a rapidly appreciating  
18 residence homestead on the effective date of the law imposing the  
19 limitation; and

20 (2) expires on January 1 of the first tax year that  
21 neither the owner of the property when the limitation took effect  
22 nor the owner's spouse or surviving spouse qualifies for an  
23 exemption under Section 1-b of this article.

24 (c) A law enacted under this section:

25 (1) must specify one or more areas to which the  
26 appraisal limitation authorized by this section applies;

27 (2) must define "rapidly appreciating residence

1 homestead"; and

2 (3) may prescribe additional eligibility requirements  
3 for the limitation.

4 (d) Section 57, Article III, Texas Constitution, does not  
5 apply to a local law authorized by this section.

6 SECTION 2. This proposed constitutional amendment shall be  
7 submitted to the voters at an election to be held November 7, 2023.  
8 The ballot shall be printed to permit voting for or against the  
9 proposition: "The constitutional amendment to authorize the  
10 legislature to provide for limitations on the appraised value of  
11 certain real property in specified areas for ad valorem tax  
12 purposes."