

By: Miles

S.B. No. 1409

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the continuation of a limitation on increases in the  
3 appraised value of a residence homestead for ad valorem tax  
4 purposes if the property is acquired by and qualifies as the  
5 homestead of an heir of the owner or the owner's spouse or surviving  
6 spouse.

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

8 SECTION 1. Section 23.23, Tax Code, is amended by amending  
9 Subsection (c) and adding Subsection (c-2) to read as follows:

10 (c) The limitation provided by Subsection (a) takes effect  
11 as to a residence homestead on January 1 of the tax year following  
12 the first tax year the owner qualifies the property for an exemption  
13 under Section 11.13. [~~The limitation expires on January 1 of the~~  
14 ~~first tax year that neither the owner of the property when the~~  
15 ~~limitation took effect nor the owner's spouse or surviving spouse~~  
16 ~~qualifies for an exemption under Section 11.13.~~]

17 (c-2) The limitation provided by Subsection (a) expires as  
18 to a residence homestead on January 1 of the first tax year that  
19 none of the following individuals qualify for an exemption under  
20 Section 11.13 with respect to the property:

21 (1) the owner of the property when the limitation took  
22 effect;

23 (2) the owner's spouse or surviving spouse; or

24 (3) the first heir property owner to acquire the

1 property as heir property from an individual described by  
2 Subdivision (1) or (2).

3 SECTION 2. This Act applies only to the appraisal for ad  
4 valorem tax purposes of residence homesteads for a tax year that  
5 begins on or after the effective date of this Act.

6 SECTION 3. This Act takes effect January 1, 2024, but only  
7 if the constitutional amendment proposed by the 88th Legislature,  
8 Regular Session, 2023, to authorize the legislature to provide for  
9 the continuation of a limitation on the maximum appraised value of a  
10 residence homestead for ad valorem tax purposes if the property is  
11 acquired by and qualifies as the homestead of an heir of the owner  
12 or the owner's spouse or surviving spouse is approved by the voters.  
13 If that amendment is not approved by the voters, this Act has no  
14 effect.