

By: Bettencourt, et al.

S.J.R. No. 85

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to increase the amount of the exemption from ad valorem taxation by a school district of the market value of the residence homestead of a person who is elderly or disabled.

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

SECTION 1. Section 1-b(c), Article VIII, Texas Constitution, is amended to read as follows:

(c) The amount of \$100,000 of the market value of the residence homestead of a married or unmarried adult, including one living alone, is exempt from ad valorem taxation for general elementary and secondary public school purposes. The legislature by general law may provide that all or part of the exemption does not apply to a district or political subdivision that imposes ad valorem taxes for public education purposes but is not the principal school district providing general elementary and secondary public education throughout its territory. In addition to this exemption, the legislature by general law may exempt an amount not to exceed \$60,000 [~~\$10,000~~] of the market value of the residence homestead of a person who is disabled as defined in Subsection (b) of this section and of a person 65 years of age or older from ad valorem taxation for general elementary and secondary public school purposes. The legislature by general law may base the amount of and condition eligibility for the additional exemption

1 authorized by this subsection for disabled persons and for persons
2 65 years of age or older on economic need. An eligible disabled
3 person who is 65 years of age or older may not receive both
4 exemptions from a school district but may choose either. An
5 eligible person is entitled to receive both the exemption required
6 by this subsection for all residence homesteads and any exemption
7 adopted pursuant to Subsection (b) of this section, but the
8 legislature shall provide by general law whether an eligible
9 disabled or elderly person may receive both the additional
10 exemption for the elderly and disabled authorized by this
11 subsection and any exemption for the elderly or disabled adopted
12 pursuant to Subsection (b) of this section. Where ad valorem tax
13 has previously been pledged for the payment of debt, the taxing
14 officers of a school district may continue to levy and collect the
15 tax against the value of homesteads exempted under this subsection
16 until the debt is discharged if the cessation of the levy would
17 impair the obligation of the contract by which the debt was created.
18 The legislature shall provide for formulas to protect school
19 districts against all or part of the revenue loss incurred by the
20 implementation of this subsection, Subsection (d) of this section,
21 and Section 1-d-1 of this article. The legislature by general law
22 may define residence homestead for purposes of this section.

23 SECTION 2. The following temporary provision is added to
24 the Texas Constitution:

25 TEMPORARY PROVISION. (a) This temporary provision applies to
26 the constitutional amendment proposed by the 89th Legislature,
27 Regular Session, 2025, authorizing the legislature to increase the

1 amount of the exemption from ad valorem taxation by a school
2 district of the market value of the residence homestead of a person
3 who is elderly or disabled.

4 (b) The amendment to Section 1-b(c), Article VIII, of this
5 constitution takes effect for the tax year beginning January 1,
6 2025.

7 (c) This temporary provision expires January 1, 2027.

8 SECTION 3. This proposed constitutional amendment shall be
9 submitted to the voters at an election to be held November 4, 2025.
10 The ballot shall be printed to permit voting for or against the
11 proposition: "The constitutional amendment authorizing the
12 legislature to increase the amount of the exemption from ad valorem
13 taxation by a school district of the market value of the residence
14 homestead of a person who is elderly or disabled."