

BILL ANALYSIS

C.S.H.J.R. 12
By: Chisum
Local Government Ways and Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Last session the legislature passed and sent to the voters a constitutional amendment that placed a school property tax on all travel trailers. The intent of the legislation was confusing. The appraisal districts were divided on what to do about the issue and some appraised and levied the tax while others did not.

House Joint Resolution 12 will give citizens an opportunity to make a constitutional change to clearly remove any requirement to tax travel trailers.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1.

The Texas Constitution is amended to allow the legislature to exempt from ad valorem taxation a travel trailer regardless of whether the travel trailer is real or personal property.

SECTION 2.

Repeals Section 1 (j), Article VIII, Texas Constitution.

SECTION 3.

The temporary provision applies to the proposed amendment and expires January 1, 2005. The amendment takes effect January 1, 2004, and applies to a tax year that begins on or after that date. The repeal of Section 1 (j), Article VIII, Texas Constitution takes effect January 1, 2004.

SECTION 4.

Requires the constitutional amendment to be submitted to the voters at an election to be held on November 4, 2003. Requires the ballot be printed to permit voting for or against specified language.

FOR ELECTION

The temporary provision applies to the proposed amendment and expires January 1, 2005. The amendment takes effect January 1, 2004, and applies to a tax year that begins on or after that date. The repeal of Section 1 (j), Article VIII, Texas Constitution takes effect January 1, 2004.

COMPARISON OF ORIGINAL TO SUBSTITUTE

HJR12 proposed a constitutional amendment that would exempt travel trailers from ad valorem taxation.

CSHJR 12 proposes a constitutional amendment that entitles a person to an exemption from ad valorem taxation of all tangible personal property, other than manufactured homes.