

By: Haggerty

H.B. No. 892

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of certain persons to bring suit to  
3 require an appraisal district or an appraisal review board to  
4 comply with the property tax laws.

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

6 SECTION 1. Section 43.01, Tax Code, is amended to read as  
7 follows:

8 Sec. 43.01. AUTHORITY TO BRING SUIT. (a) The following  
9 persons [A taxing unit] may sue the appropriate appraisal district  
10 or the appraisal review board established for that appraisal  
11 district [that appraises property for the unit] to compel the  
12 appraisal district or appraisal review board to comply with the  
13 provisions of this title, rules of the comptroller, or other  
14 applicable law:

15 (1) a taxing unit;

16 (2) a property owner;

17 (3) a lessee of property who is contractually  
18 obligated to pay taxes imposed on the property;

19 (4) an agent of a property owner designated under  
20 Section 1.111; or

21 (5) any other person authorized to bring an action on  
22 behalf of a person listed in Subdivisions (1)-(4).

23 (b) The court shall award court costs and reasonable  
24 attorney's fees to a plaintiff who prevails in a suit brought under

1 this section.

2           SECTION 2. This Act takes effect September 1, 2003. The  
3 changes in law made by this Act apply only to a suit filed under  
4 Section 43.01, Tax Code, on or after the effective date of this Act.  
5 A suit filed under Section 43.01, Tax Code, before the effective  
6 date of this Act is governed by the law in effect on the date the  
7 suit was filed, and the former law is continued in effect for that  
8 purpose.