

By: Haggerty

H.B. No. 894

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the limitation on an award of attorney's fees to a
3 property owner who prevails in certain ad valorem tax appeals.

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

5 SECTION 1. Section 42.29(a), Tax Code, is amended to read as
6 follows:

7 (a) A property owner who prevails in an appeal to the court
8 under Section 42.25 or 42.26 may be awarded reasonable attorney's
9 fees. The amount of the award may not exceed the greater of:

10 (1) \$15,000; or

11 (2) an amount, not to exceed \$100,000, equal to 20
12 percent of the total amount by which the property owner's tax
13 liability is reduced as a result of the appeal.

14 SECTION 2. Section 42.29(b), Tax Code, is repealed.

15 SECTION 3. (a) This Act takes effect immediately if it
16 receives a vote of two-thirds of all the members elected to each
17 house, as provided by Section 39, Article III, Texas Constitution.
18 If this Act does not receive the vote necessary for immediate
19 effect, this Act takes effect September 1, 2003.

20 (b) The change in law made by this Act applies only to an
21 appeal filed under Chapter 42, Tax Code, on or after the effective
22 date of this Act. An appeal filed before the effective date of this
23 Act is governed by the law as it existed immediately before the
24 effective date of this Act, and that law is continued in effect for

1 that purpose.