

1-1 By: Flores (Senate Sponsor - Staples) H.J.R. No. 51  
1-2 (In the Senate - Received from the House April 30, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on Natural  
1-4 Resources; May 13, 2003, rereferred to Committee on Finance;  
1-5 May 23, 2003, reported favorably by the following vote: Yeas 12,  
1-6 Nays 0; May 23, 2003, sent to printer.)

1-7 HOUSE JOINT RESOLUTION

1-8 proposing a constitutional amendment to establish a two-year period  
1-9 for the redemption of a mineral interest sold for unpaid ad valorem  
1-10 taxes at a tax sale.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Sections 13(c) and (d), Article VIII, Texas  
1-13 Constitution, are amended to read as follows:

1-14 (c) The former owner of a residence homestead, ~~[sold for~~  
1-15 ~~unpaid taxes and the former owner of]~~ land designated for  
1-16 agricultural use, or a mineral interest sold for unpaid taxes shall  
1-17 within two years from date of the filing for record of the  
1-18 Purchaser's Deed have the right to redeem the property on the  
1-19 following basis:

1-20 (1) Within the first year of the redemption period,  
1-21 upon the payment of the amount of money paid for the property,  
1-22 including the Tax Deed Recording Fee and all taxes, penalties,  
1-23 interest, and costs paid plus an amount not exceeding 25 percent of  
1-24 the aggregate total; and

1-25 (2) Within the last year of the redemption period,  
1-26 upon the payment of the amount of money paid for the property,  
1-27 including the Tax Deed Recording Fee and all taxes, penalties,  
1-28 interest, and costs paid plus an amount not exceeding 50 percent of  
1-29 the aggregate total.

1-30 (d) If the residence homestead or land designated for  
1-31 agricultural use [property] is sold pursuant to a suit to enforce  
1-32 the collection of the unpaid taxes, the Legislature may limit the  
1-33 application of Subsection (c) of this section to property used as a  
1-34 residence homestead when the suit was filed and to land designated  
1-35 for agricultural use when the suit was filed.

1-36 SECTION 2. The following temporary provision is added to  
1-37 the Texas Constitution:

1-38 TEMPORARY PROVISION. (a) This temporary provision applies  
1-39 to the constitutional amendment proposed by the 78th Legislature,  
1-40 Regular Session, 2003, to establish a two-year period for the  
1-41 redemption of a mineral interest sold for unpaid ad valorem taxes at  
1-42 a tax sale and expires January 1, 2005.

1-43 (b) The amendments to Sections 13(c) and (d), Article VIII,  
1-44 of this constitution, take effect January 1, 2004, and apply only to  
1-45 the redemption of a mineral interest sold at a tax sale for which  
1-46 the purchaser's deed is filed for record on or after January 1,  
1-47 2004. The redemption of a mineral interest sold at a tax sale for  
1-48 which the purchaser's deed is filed for record before January 1,  
1-49 2004, is covered by the law in effect when the deed is filed, and the  
1-50 former law is continued in effect for that purpose.

1-51 SECTION 3. This proposed constitutional amendment shall be  
1-52 submitted to the voters at an election to be held November 4, 2003.  
1-53 The ballot shall be printed to permit voting for or against the  
1-54 proposition: "The constitutional amendment to establish a two-year  
1-55 period for the redemption of a mineral interest sold for unpaid ad  
1-56 valorem taxes at a tax sale."

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