

By: Elkins

H.J.R. No. 57

A JOINT RESOLUTION

1 proposing a constitutional amendment to require an annual
2 adjustment of the amount of the residence homestead exemption from
3 ad valorem taxation for public school purposes for persons 70 years
4 of age or older to correspond to the average market value of a
5 single-family residence in this state.

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

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

9 (c) Fifteen Thousand Dollars (\$15,000) of the market value
10 of the residence homestead of a married or unmarried adult,
11 including one living alone, is exempt from ad valorem taxation for
12 general elementary and secondary public school purposes. For any
13 tax year that begins on or after January 1, 2005, for a person
14 seventy (70) years of age or older, the amount of this exemption
15 shall be equal to the average market value of a single-family
16 residence in this state in the previous tax year as determined by
17 the comptroller of public accounts not later than December 31 of the
18 preceding tax year. The legislature by general law may provide that
19 all or part of the exemption does not apply to a district or
20 political subdivision that imposes ad valorem taxes for public
21 education purposes but is not the principal school district
22 providing general elementary and secondary public education
23 throughout its territory. In addition to this exemption, the
24 legislature by general law may exempt an amount not to exceed Ten

1 Thousand Dollars (\$10,000) of the market value of the residence
2 homestead of a person who is disabled as defined in Subsection (b)
3 of this section and of a person sixty-five (65) years of age or
4 older from ad valorem taxation for general elementary and secondary
5 public school purposes. The legislature by general law may base the
6 amount of and condition eligibility for the additional exemption
7 authorized by this subsection for disabled persons and for persons
8 sixty-five (65) years of age or older on economic need. An eligible
9 disabled person who is sixty-five (65) years of age or older may not
10 receive both exemptions from a school district but may choose
11 either. An eligible person is entitled to receive both the
12 exemption required by this subsection for all residence homesteads
13 and any exemption adopted pursuant to Subsection (b) of this
14 section, but the legislature shall provide by general law whether
15 an eligible disabled or elderly person may receive both the
16 additional exemption for the elderly and disabled authorized by
17 this subsection and any exemption for the elderly or disabled
18 adopted pursuant to Subsection (b) of this section. Where ad
19 valorem tax has previously been pledged for the payment of debt, the
20 taxing officers of a school district may continue to levy and
21 collect the tax against the value of homesteads exempted under this
22 subsection until the debt is discharged if the cessation of the levy
23 would impair the obligation of the contract by which the debt was
24 created. The legislature shall provide for formulas to protect
25 school districts against all or part of the revenue loss incurred by
26 the implementation of Article VIII, Sections 1-b(c), 1-b(d), and
27 1-d-1, of this constitution. The legislature by general law may

1 define residence homestead for purposes of this section.

2 SECTION 2. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 4, 2003.
4 The ballot shall be printed to permit voting for or against the
5 proposition: "The constitutional amendment to require the annual
6 adjustment of the amount of the residence homestead exemption from
7 ad valorem taxation for public school purposes for persons 70 years
8 of age or older to correspond to the average market value of a
9 single-family residence in this state."