

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 20, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB892 by Haggerty (Relating to the authority of certain persons to bring suit to require an appraisal district or an appraisal review board to comply with the property tax laws.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Section 43.01 of the Tax Code to expand the class of parties allowed to sue an appraisal district or an appraisal review board to compel compliance with the Tax Code, Comptroller rules, or other laws.

Under current law, only taxing units are allowed to sue. This bill would add the following as eligible to bring suit: property owners, lessees obligated to pay property taxes, tax agents, and persons authorized to bring actions on behalf the above-listed parties. The bill would mandate reasonable attorney's fees for a prevailing plaintiff.

Local Government Impact

The Comptroller's most recent Appraisal District Operations Report shows that appraisal districts reported 2,400 district court lawsuits filed in 2001. The provisions relating to an expanded list of parties authorized to sue an appraisal district or appraisal review board could result in some undetermined amount of costs to appraisal districts and the taxing units funding those appraisal districts. Similarly, the provision relating to attorney's fees could have an undetermined negative fiscal impact on the amount of attorney's fees paid by appraisal districts to plaintiffs in district court lawsuits. The effects of such changes could result in an increase in local cost of operations.

Source Agencies: 212 Office Of Court Administration, Texas Judicial Council, 304 Comptroller Of Public Accounts

LBB Staff: JK, SD, WP, BR