

By: Bohac

H.J.R. No. 23

A JOINT RESOLUTION

1 proposing a constitutional amendment to provide for the annual
2 adjustment for inflation of the residence homestead exemption from
3 ad valorem taxation for general elementary and secondary public
4 school purposes.

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

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

8 (c) A portion [~~Fifteen Thousand Dollars (\$15,000)~~] of the
9 market value of the residence homestead of a married or unmarried
10 adult, including one living alone, is exempt from ad valorem
11 taxation for general elementary and secondary public school
12 purposes. For the 2005 tax year, the amount of the exemption is
13 \$15,000. For each subsequent tax year, the amount of the exemption
14 shall be calculated by the Comptroller of Public Accounts by
15 multiplying the amount of that exemption for the preceding tax year
16 by the inflation rate, as defined by general law, and adding that
17 amount to the amount of that exemption for the preceding tax year.
18 Each appraisal office shall use the amount of the exemption as
19 calculated by the Comptroller of Public Accounts to determine the
20 assessed value of residence homesteads appraised by that appraisal
21 office for ad valorem taxation for general elementary and secondary
22 public school purposes. The legislature by general law may provide
23 that all or part of the exemption does not apply to a school
24 district or political subdivision that imposes ad valorem taxes for

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

1 created. The legislature shall provide for formulas to protect
2 school districts against all or part of the revenue loss incurred by
3 the implementation of Article VIII, Sections 1-b(c), 1-b(d), and
4 1-d-1, of this constitution. The legislature by general law may
5 define residence homestead for purposes of this section.

6 SECTION 2. The following temporary provision is added to
7 the Texas Constitution:

8 TEMPORARY PROVISION. (a) This temporary provision applies
9 to the constitutional amendment proposed by __.J.R. No. ____, 79th
10 Legislature, 2nd Called Session, 2005, and expires January 1, 2008.

11 (b) The amendment takes effect January 1, 2006.

12 SECTION 3. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 8, 2005.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment to provide for the
16 annual adjustment for inflation of the amount of the residence
17 homestead exemption from ad valorem taxation for general elementary
18 and secondary public school purposes."