

By: Edwards

H.B. No. 124

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing an increase in the minimum amount of the
3 local option residence homestead exemption from ad valorem taxation
4 for the elderly and disabled and increasing the amount of the
5 residence homestead exemption from school district taxation for the
6 elderly and disabled.

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

8 SECTION 1. Section 11.13, Tax Code, is amended by amending
9 Subsections (c), (d), (e), and (f) and adding Subsection (e-1) to
10 read as follows:

11 (c) In addition to the exemption provided by Subsection (b)
12 ~~[of this section]~~, an adult individual who is disabled or is 65
13 years of age or older is entitled to an exemption from taxation by a
14 school district of \$15,000 ~~[\$10,000]~~ of the appraised value of the
15 individual's ~~[his]~~ residence homestead.

16 (d) In addition to the exemptions provided by Subsections
17 (b) and (c) ~~[of this section]~~, an individual who is disabled or is
18 65 years of age or older is entitled to an exemption from taxation
19 by a taxing unit of a portion, ~~[4]~~ the amount of which is fixed as
20 provided by Subsection (e), ~~[of this section]~~ of the appraised
21 value of the individual's ~~[his]~~ residence homestead if the
22 exemption is adopted either:

23 (1) by the governing body of the taxing unit; or

24 (2) by a favorable vote of a majority of the qualified

1 voters of the taxing unit at an election called by the governing
2 body of a taxing unit, and the governing body shall call the
3 election on the petition of at least 20 percent of the number of
4 qualified voters who voted in the preceding election of the taxing
5 unit.

6 (e) The amount of an exemption adopted as provided by
7 Subsection (d) [~~of this section~~] is \$6,000 [~~\$3,000~~] of the
8 appraised value of the residence homestead unless a larger amount
9 is specified by:

10 (1) the governing body authorizing the exemption if
11 the exemption is authorized as provided by [~~Subdivision (1) of~~]
12 Subsection (d)(1) [~~(d) of this section~~]; or

13 (2) the petition for the election if the exemption is
14 authorized as provided by [~~Subdivision (2) of~~] Subsection (d)(2)
15 [~~(d) of this section~~].

16 (e-1) Notwithstanding Subsection (e) and subject to
17 Subsection (f), the amount of an exemption adopted as provided by
18 Subsection (d) before January 1, 2007, in an amount of less than
19 \$6,000 continues in effect at the amount in effect for the 2006 tax
20 year.

21 (f) Once authorized, an exemption adopted as provided by
22 Subsection (d) [~~of this section~~] may be repealed or decreased or
23 increased in amount by the governing body of the taxing unit or by
24 the procedure authorized by [~~Subdivision (2) of~~] Subsection (d)(2)
25 [~~(d) of this section~~]. In the case of a change in the amount of the
26 exemption [~~decrease~~], the amount of the exemption as changed may
27 not be [~~reduced to~~] less than \$6,000 [~~\$3,000~~] of the market value.

1 SECTION 2. This Act applies only to an ad valorem tax year
2 that begins on or after January 1, 2007.

3 SECTION 3. This Act takes effect January 1, 2007, but only
4 if the constitutional amendment proposed by the 79th Legislature,
5 3rd Called Session, 2006, to authorize an increase in the minimum
6 amount of the local option residence homestead exemption from ad
7 valorem taxation for the elderly and disabled and an increase in the
8 maximum amount of the residence homestead exemption from school
9 district taxation for the elderly and disabled is approved by the
10 voters. If that amendment is not approved by the voters, this Act
11 has no effect.