

By: Van Arsdale

H.J.R. No. 35

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring the governing body
2 of a school district to establish for purposes of ad valorem
3 taxation by the district a lower limit on the maximum average annual
4 percentage increase in the appraised value of residence homesteads
5 in the district.

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

7 SECTION 1. Section 1, Article VIII, Texas Constitution, is
8 amended by adding Subsection (i-1) to read as follows:

9 (i-1) Notwithstanding Subsections (a), (b), and (i) of this
10 section, the governing body of a school district other than a junior
11 college district shall establish for purposes of ad valorem
12 taxation by the school district a limit on the maximum average
13 annual percentage increase in the appraised value of residence
14 homesteads in the district. The limit established by the governing
15 body of a school district must be less than 10 percent but may not be
16 less than three percent. If the governing body does not establish a
17 limit as required by this subsection, the governing body is
18 considered to have established a limit of three percent. A limit on
19 residence homestead appraisal increases established under this
20 subsection takes effect and expires in the manner provided by
21 Subsection (i) of this section for a limit enacted under that
22 subsection. A limit on appraisal increases established by the
23 governing body of a school district under this subsection remains
24 in effect until amended by the governing body. An amendment of the

1 limit on appraisal increases may not take effect before January 1 of
2 the tax year following the year in which the amendment is made.

3 SECTION 2. The following temporary provision is added to
4 the Texas Constitution:

5 TEMPORARY PROVISION. (a) This temporary provision applies
6 to the constitutional amendment proposed by the 79th Legislature,
7 3rd Called Session, 2006, requiring the governing body of a school
8 district to establish for purposes of ad valorem taxation by the
9 district a limit on the maximum average annual percentage increase
10 in the appraised value of residence homesteads in the district of
11 less than 10 percent but not less than three percent and expires
12 January 1, 2009.

13 (b) Section 1(i-1), Article VIII, of this constitution, as
14 added by the amendment, takes effect on the date of the official
15 canvass of returns showing adoption of the amendment.

16 (c) Not later than December 31, 2006, the governing body of
17 each school district to which added Section 1(i-1), Article VIII,
18 of this constitution applies shall establish the initial limit on
19 residence homestead appraisal increases for purposes of ad valorem
20 taxation by the district as required by that section. The initial
21 limit on residence homestead appraisal increases established by the
22 governing body of a school district takes effect January 1, 2007.

23 SECTION 3. This proposed constitutional amendment shall be
24 submitted to the voters at an election to be held November 7, 2006.
25 The ballot shall be printed to permit voting for or against the
26 proposition: "The constitutional amendment requiring the
27 governing body of a school district to establish for purposes of ad

1 valorem taxation by the school district a lower limit on the maximum
2 average annual percentage increase in the appraised value of
3 residence homesteads in the school district of not less than three
4 percent."