

BILL ANALYSIS

H.B. 2926
By: Hamric
Local Government Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

This provision provides for taxing entities to keep tax records accurate. If the purchaser of real property at a tax sale fails to obtain the required certificate depicting that they owe no other delinquent taxes within the county, the Officer's sale return identifying the new owner can be filed of record. The only purpose for which the Officer's sale return may be used is to charge the new owner for taxes accruing from the date of sale and beyond. This prevents the previous owner from being charged taxes on that property when the purchaser/new owner fails, in a timely manner, to record the required certificate showing no delinquent taxes are owed.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Section 1. Amends the Tax Code, Section 34.015, Subsection (k-1) to read if within six months of the date of sale of real property under this Section, the bidder does not exhibit to the officer who conducted the sale an unexpired statement that complies with Subsection (k), that officer shall provide a copy of the officer's return to the county assessor-collector for each county in which the real property is located. On receipt of the officer's return, the assessor-collector shall file a copy with the county clerk in the county which the assessor-collector serves. The county clerk shall record the return properly and index and cross-index the return with the name of the successful bidder at the auction and each former owner of the property. The chief appraiser in each applicable district may list the successful bidder in the appraisal records of that district as the owner of the property.

Section 2. States the effective date.

EFFECTIVE DATE

This legislation provides for immediate effect if it receives a two-thirds vote of all members elected to each house, as provided by Section 39, Article III, Texas