

BILL ANALYSIS

H.J.R. 44
By: McReynolds
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Every disabled veteran in the country is assigned a disability rating, ranging from 10% to 100% disabled, by the Veterans' Administration (VA). The VA first formulates a veteran's true level of disability. However, this number is then rounded to the nearest multiple of ten, with numbers ending five or higher being rounded up, and numbers ending in four or less being rounded down. For example, if a veteran was deemed as being 35% disabled, his disability rating would be "40", but if he was deemed as being 34% disabled his disability rating would be "30". This final number is the only number used as a veteran's disability rating.

An inconsistency exists with this system and the disability ranges constructed in Article VIII, Section 2 (b) of the Texas Constitution, pertaining to property tax exemptions for disabled veterans. The four different levels of exemption in the Constitution are based on disability ranges of 10%-30%, 31%-50%, 51%-70%, and 71% and over. These numbers are misleading because disability ratings such as 31%, 32%, 33% , or any other number between multiples of ten do not exist. This has led to confusion as veterans see this chart and feel that they should be in a higher category because their true, initial amount of disability prior to being rounded falls into an exemption range in which they do not qualify. H.J.R. 44 allows Texans to receive the full benefits for which they qualify based on their actual levels of disability. It will help some of our disabled veterans while, at the same time, be relatively inexpensive for counties to implement.

RULEMAKING AUTHORITY

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

ANALYSIS

Article VIII, Section 2 (b) of the Texas Constitution is amended by changing the \$5,000 exemption range from 10% - 30% to 10% - 29%, changing the \$7,500 exemption range from 31% - 50% to 30% - 49%, changing the \$10,000 exemption range from 51% - 70% to 50% - 69%, and changing the \$12,000 exemption range from 71% and over to 70% and over.

FOR ELECTION

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 8, 2005.