

By: Guillen, Escobar, Gonzalez Toureilles,
Menendez

H.B. No. 213

Substitute the following for H.B. No. 213:

By: Uresti

C.S.H.B. No. 213

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a limitation on the amount of ad valorem taxes that may
3 be imposed on the residence homestead of an eligible person serving
4 on active duty in the United States armed forces or the National
5 Guard.

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

7 SECTION 1. Subchapter B, Chapter 11, Tax Code, is amended by
8 adding Subsection 11.262 to read as follows:

9 Sec. 11.262. LIMITATION OF TAX ON HOMESTEADS OF MEMBERS OF
10 ARMED FORCES OR NATIONAL GUARD. (a) In this section, "active duty"
11 means full-time duty in the active military service of the United
12 States or full-time National Guard duty. The term includes such
13 duty as full-time training duty, annual training duty, and
14 attendance, while in the active military service, at a school
15 designated as a service school by law or by the secretary of the
16 military department concerned.

17 (b) This section applies only to a taxing unit that has
18 established a limitation on the total amount of taxes that may be
19 imposed by the taxing unit on the residence homestead of a person
20 serving on active duty in the United States armed forces or the
21 National Guard under Section 1-b(i), Article VIII, Texas
22 Constitution. A tax limitation established under that subsection
23 applies to the imposition of taxes beginning with the first tax year
24 after the year in which the limitation is established.

1 (c) To be eligible for a limitation on tax increases under
2 this section for a tax year, an individual must:

3 (1) be deployed or stationed on active duty for any
4 part of that tax year at a location that is at least 60 miles from
5 the individual's residence homestead; and

6 (2) have been continuously deployed or stationed on
7 active duty for at least the preceding six months, disregarding
8 temporary periods of leave or other absence, at one or more
9 locations each of which is at least 60 miles from the individual's
10 residence homestead.

11 (d) This section applies only to property that receives an
12 exemption under Section 11.13 and is the residence homestead of an
13 individual who is eligible for the limitation under Subsection (c)
14 and whose monthly salary for active duty for any month of the period
15 described by Subsection (c)(2) is less than two times the minimum
16 monthly salary of the highest-ranking noncommissioned officer
17 serving on active duty in that individual's branch of the United
18 States armed forces or the National Guard, as applicable, for
19 August of the preceding year. If the property is the residence
20 homestead of more than one individual serving on active duty, each
21 of those individuals must meet the salary limitation provided by
22 this subsection. Not later than January 1 of each tax year, the
23 comptroller shall determine for purposes of this section the
24 minimum monthly salary of the highest-ranking noncommissioned
25 officer serving on active duty in each branch of the United States
26 armed forces and the National Guard for August of the preceding year
27 and shall:

1 (1) publish that salary in the Texas Register; and
2 (2) notify each appraisal office of that
3 determination.

4 (e) A taxing unit may not increase the total annual amount
5 of ad valorem taxes it imposes on a residence homestead to which
6 this section applies above the amount of the taxes it imposed on the
7 property in the preceding tax year if the property qualified as the
8 individual's residence homestead in the preceding tax year. The
9 tax officials shall appraise the property to which this section
10 applies and calculate taxes as on other property, but if the tax so
11 calculated exceeds the limitation provided by this section, the tax
12 imposed is the amount of the tax as limited by this section, except
13 as otherwise provided by this section.

14 (f) If improvements have been made to the individual's
15 residence homestead, other than repairs and other than improvements
16 made to comply with governmental requirements, since the most
17 recent appraisal of the property, the taxing unit may increase the
18 amount of taxes on the homestead in the first year the appraised
19 value of the homestead is increased on the appraisal roll because of
20 the enhancement of value by the improvements. The amount of the tax
21 increase is determined by applying the current tax rate to the
22 difference in the appraised value of the homestead with the
23 improvements and the appraised value it would have had without the
24 improvements. A limitation imposed by this section then applies to
25 the increased amount of taxes on the residence homestead until more
26 improvements, if any, are made.

27 (g) An individual is eligible for a limitation on tax

1 increases under this section for a tax year if the individual
2 qualifies the residence homestead for an exemption under Section
3 11.13 for that tax year and meets the requirements of Subsections
4 (c) and (d) at any time during that tax year and if the individual
5 qualified the homestead for an exemption under Section 11.13 for
6 the preceding tax year. To receive a limitation on tax increases
7 under this section, an individual claiming the limitation must file
8 an application for the limitation with the chief appraiser of the
9 appraisal district. The chief appraiser shall accept and approve
10 or deny the application. For property appraised by more than one
11 appraisal district, a separate application must be filed in each
12 appraisal district to receive a limitation in that district. A
13 limitation under this section, once allowed, need not be claimed in
14 subsequent years and applies to the property until the limitation
15 expires as provided by this section or until the individual's
16 qualification for the limitation ends. However, the chief
17 appraiser may require an individual allowed a limitation in a prior
18 year to file a new application to confirm the individual's current
19 qualification for the limitation by delivering, not later than
20 April 1, a written notice that a new application is required,
21 accompanied by an appropriate application form, to the individual
22 previously allowed the limitation.

23 (h) In this subsection, "driver's license" and "personal
24 identification certificate" have the meanings assigned by Section
25 11.43(f). The comptroller, in prescribing the contents of the
26 application form for a limitation on tax increases under this
27 section, shall ensure that the form requires an applicant to

1 provide the information necessary to determine the validity of the
2 limitation claim. The form must require an applicant to provide the
3 applicant's name and driver's license number, personal
4 identification certificate number, or social security number. The
5 comptroller shall include on the form:

6 (1) a notice of the penalties prescribed by Section
7 37.10, Penal Code, for making or filing an application containing a
8 false statement; and

9 (2) a statement explaining that the application need
10 not be made annually and that if the limitation is allowed, the
11 applicant has a duty to notify the chief appraiser when the
12 applicant's qualification for the limitation ends.

13 (i) An individual who is required to apply for a limitation
14 on tax increases under this section to receive the limitation for a
15 tax year must apply for the limitation not later than May 1 or the
16 90th day after the date the individual has served on active duty at
17 a location and for the minimum period required by Subsection (c) to
18 qualify for the limitation, whichever is later. Except as provided
19 by Subsection (j), if the individual fails to timely file a
20 completed application, the individual may not receive the
21 limitation for that year.

22 (j) The chief appraiser shall accept and approve or deny an
23 application for a limitation on tax increases under this section
24 after the deadline for filing the application under Subsection (i)
25 has passed if the application is filed not later than one year after
26 the delinquency date for the taxes on the property for that tax
27 year. If a late application is approved after approval of the

1 appraisal records by the appraisal review board, the chief
2 appraiser shall notify the collector for each taxing unit in which
3 the property is located. If the tax has not been paid, the
4 collector shall deduct from the individual's tax bill the
5 difference between the taxes that would have been due had the
6 property not qualified for the limitation and the taxes due after
7 taking the limitation into account. If the tax has been paid, the
8 collector shall refund the difference.

9 (k) An individual who receives a limitation on tax increases
10 under this section shall notify the appraisal office in writing
11 before May 1 after the individual's qualification for the
12 limitation ends.

13 (l) If the appraisal roll provides for taxation of appraised
14 value for a prior year because a limitation on tax increases under
15 this section was erroneously allowed, the tax assessor for each
16 taxing unit shall add, as back taxes due as provided by Section
17 26.09(d), the positive difference, if any, between the tax that
18 should have been imposed for that year and the tax that was imposed
19 because of this section.

20 (m) A limitation on tax increases under this section expires
21 on January 1 of the first tax year that:

22 (1) none of the owners of the property who qualify for
23 an exemption provided by Section 11.13 and who owned the property
24 when the limitation first took effect is using the property as a
25 residence homestead;

26 (2) none of the owners of the property qualifies for an
27 exemption provided by Section 11.13; or

1 (3) none of the owners of the property who met the
2 requirements of Subsections (c) and (d) when the limitation first
3 took effect meets the requirements of those subsections.

4 (n) For each school district in an appraisal district, the
5 chief appraiser shall determine the portion of the appraised value
6 of residence homesteads of individuals on which school district
7 taxes are not imposed in a tax year because of the limitation on tax
8 increases under this section. That portion is calculated by
9 determining the taxable value that, if multiplied by the tax rate
10 adopted by the school district for the tax year, would produce an
11 amount equal to the amount of tax that would have been imposed by
12 the school district on those residence homesteads if the limitation
13 on tax increases under this section were not in effect, but that was
14 not imposed because of that limitation. The chief appraiser shall
15 determine that taxable value and certify it to the comptroller as
16 soon as practicable for each tax year.

17 (o) A limitation on tax increases under this section does
18 not expire because the owner of an interest in the property conveys
19 the interest to a qualifying trust as defined by Section 11.13(j) if
20 the owner or the owner's spouse is a trustor of the trust and is
21 entitled to occupy the property.

22 (p) Except as provided by Subsection (f), if an individual
23 who receives a limitation on tax increases by a taxing unit under
24 this section on a residence homestead in the last year in which the
25 individual resided in the property on January 1 qualifies a
26 different residence homestead in the same taxing unit for the
27 limitation during the same period of service on active duty, the

1 taxing unit may not impose ad valorem taxes on the subsequently
2 qualified homestead in a year in an amount that exceeds the amount
3 of taxes the taxing unit would have imposed on the subsequently
4 qualified homestead in the first year in which the individual
5 receives the limitation for the subsequently qualified homestead
6 had the limitation not been in effect, multiplied by a fraction the
7 numerator of which is the total amount of ad valorem taxes imposed
8 by the taxing unit on the former homestead in the last year in which
9 the individual received the limitation for the former homestead and
10 the denominator of which is the total amount of ad valorem taxes
11 that would have been imposed by the taxing unit on the former
12 homestead in the last year in which the individual received the
13 limitation for the former homestead had the limitation not been in
14 effect.

15 (q) An individual who receives a limitation on tax increases
16 by a taxing unit under this section and who subsequently applies for
17 a limitation by the same taxing unit on a different residence
18 homestead, or an agent of the individual, is entitled to receive
19 from the chief appraiser of the appraisal district in which the
20 former homestead was located a written certificate providing the
21 information necessary to determine whether the individual may
22 qualify for a limitation by the taxing unit on the subsequently
23 qualified homestead under Subsection (p) and to calculate the
24 amount of taxes the taxing unit may impose on the subsequently
25 qualified homestead.

26 SECTION 2. Sections 23.19(b) and (g), Tax Code, are amended
27 to read as follows:

1 (b) If an appraisal district receives a written request for
2 the appraisal of real property and improvements of a cooperative
3 housing corporation according to the separate interests of the
4 corporation's stockholders, the chief appraiser shall separately
5 appraise the interests described by Subsection (d) if the
6 conditions required by Subsections (e) and (f) have been met.
7 Separate appraisal under this section is for the purposes of
8 administration of tax exemptions, determination of applicable
9 limitations of taxes under Section 11.26, ~~[or] 11.261, or 11.262,~~
10 and apportionment by a cooperative housing corporation of property
11 taxes among its stockholders but is not the basis for determining
12 value on which a tax is imposed under this title. A stockholder
13 whose interest is separately appraised under this section may
14 protest and appeal the appraised value in the manner provided by
15 this title for protest and appeal of the appraised value of other
16 property.

17 (g) A tax bill or a separate statement accompanying the tax
18 bill to a cooperative housing corporation for which interests of
19 stockholders are separately appraised under this section must
20 state, in addition to the information required by Section 31.01,
21 the appraised value and taxable value of each interest separately
22 appraised. Each exemption claimed as provided by this title by a
23 person entitled to the exemption shall also be deducted from the
24 total appraised value of the property of the corporation. The total
25 tax imposed by a taxing unit [~~school district, county,~~
26 ~~municipality, or junior college district~~] shall be reduced by any
27 amount that represents an increase in taxes attributable to

1 separately appraised interests of the real property and
2 improvements that are subject to the limitation of taxes prescribed
3 by Section 11.26, ~~[or]~~ 11.261, or 11.262. The corporation shall
4 apportion among its stockholders liability for reimbursing the
5 corporation for property taxes according to the relative taxable
6 values of their interests.

7 SECTION 3. Sections 26.012(6), (13), and (14), Tax Code,
8 are amended to read as follows:

9 (6) "Current total value" means the total taxable
10 value of property listed on the appraisal roll for the current year,
11 including all appraisal roll supplements and corrections as of the
12 date of the calculation, less the taxable value of property
13 exempted for the current tax year for the first time under Section
14 11.31, except that:

15 (A) the current total value for a school district
16 excludes:

17 (i) the total value of homesteads that
18 qualify for a tax limitation as provided by Section 11.26; and

19 (ii) new property value of property that is
20 subject to an agreement entered into under Chapter 313; ~~and~~

21 (B) the current total value for a county,
22 municipality, or junior college district excludes the total value
23 of homesteads that qualify for a tax limitation provided by Section
24 11.261; and

25 (C) the current total value for a taxing unit
26 excludes the total value of homesteads that qualify for a tax
27 limitation provided by Section 11.262.

1 (13) "Last year's levy" means the total of:

2 (A) the amount of taxes that would be generated
3 by multiplying the total tax rate adopted by the governing body in
4 the preceding year by the total taxable value of property on the
5 appraisal roll for the preceding year, including:

6 (i) taxable value that was reduced in an
7 appeal under Chapter 42; and

8 (ii) all appraisal roll supplements and
9 corrections other than corrections made pursuant to Section
10 25.25(d), as of the date of the calculation, except that last year's
11 taxable value for a school district excludes the total value of
12 homesteads that qualified for a tax limitation as provided by
13 Section 11.26, ~~and~~ last year's taxable value for a county,
14 municipality, or junior college district excludes the total value
15 of homesteads that qualified for a tax limitation as provided by
16 Section 11.261, and last year's taxable value for a taxing unit
17 excludes the total value of homesteads that qualified for a tax
18 limitation as provided by Section 11.262; and

19 (B) the amount of taxes refunded by the taxing
20 unit in the preceding year for tax years before that year.

21 (14) "Last year's total value" means the total taxable
22 value of property listed on the appraisal roll for the preceding
23 year, including all appraisal roll supplements and corrections,
24 other than corrections made pursuant to Section 25.25(d), as of the
25 date of the calculation, except that:

26 (A) last year's taxable value for a school
27 district excludes the total value of homesteads that qualified for

1 a tax limitation as provided by Section 11.26; ~~and~~

2 (B) last year's taxable value for a county,
3 municipality, or junior college district excludes the total value
4 of homesteads that qualified for a tax limitation as provided by
5 Section 11.261; and

6 (C) last year's taxable value for a taxing unit
7 excludes the total value of homesteads that qualified for a tax
8 limitation as provided by Section 11.262.

9 SECTION 4. Section 44.004(c), Education Code, is amended to
10 read as follows:

11 (c) The notice of public meeting to discuss and adopt the
12 budget and the proposed tax rate may not be smaller than one-quarter
13 page of a standard-size or a tabloid-size newspaper, and the
14 headline on the notice must be in 18-point or larger type. Subject
15 to Subsection (d), the notice must:

16 (1) contain a statement in the following form:

17 "NOTICE OF PUBLIC MEETING TO DISCUSS BUDGET AND
18 PROPOSED TAX RATE

19 "The (name of school district) will hold a public
20 meeting at (time, date, year) in (name of room, building, physical
21 location, city, state). The purpose of this meeting is to discuss
22 the school district's budget that will determine the tax rate that
23 will be adopted. Public participation in the discussion is
24 invited." The statement of the purpose of the meeting must be in
25 bold type. In reduced type, the notice must state: "The tax rate
26 that is ultimately adopted at this meeting or at a separate meeting
27 at a later date may not exceed the proposed rate shown below unless

1 the district publishes a revised notice containing the same
2 information and comparisons set out below and holds another public
3 meeting to discuss the revised notice.";

4 (2) contain a section entitled "Comparison of Proposed
5 Rates with Last Year's Rates," which must:

6 (A) show in rows the tax rates described by
7 Subparagraphs (i)-(iii), expressed as amounts per \$100 valuation of
8 property, for columns entitled "Maintenance & Operations,"
9 "Interest & Sinking Fund," and "Total," which is the sum of
10 "Maintenance & Operations" and "Interest & Sinking Fund":

11 (i) the school district's "Last Year's
12 Rate";

13 (ii) the "Rate to Maintain Same Level of
14 Maintenance & Operations Revenue & Pay Debt Service," which:

15 (a) in the case of "Maintenance &
16 Operations," is the tax rate that, when applied to the current
17 taxable value for the district, as certified by the chief appraiser
18 under Section 26.01, Tax Code, and as adjusted to reflect changes
19 made by the chief appraiser as of the time the notice is prepared,
20 would impose taxes in an amount that, when added to state funds to
21 be distributed to the district under Chapter 42, would provide the
22 same amount of maintenance and operations taxes and state funds
23 distributed under Chapter 42 per student in average daily
24 attendance for the applicable school year that was available to the
25 district in the preceding school year; and

26 (b) in the case of "Interest & Sinking
27 Fund," is the tax rate that, when applied to the current taxable

1 value for the district, as certified by the chief appraiser under
2 Section 26.01, Tax Code, and as adjusted to reflect changes made by
3 the chief appraiser as of the time the notice is prepared, and when
4 multiplied by the district's anticipated collection rate, would
5 impose taxes in an amount that, when added to state funds to be
6 distributed to the district under Chapter 46 and any excess taxes
7 collected to service the district's debt during the preceding year
8 but not used for that purpose during that year, would provide the
9 amount required to service the district's debt; and

10 (iii) the "Proposed Rate";

11 (B) contain fourth and fifth columns aligned with
12 the columns required by Paragraph (A) that show, for each row
13 required by Paragraph (A):

14 (i) the "Local Revenue per Student," which
15 is computed by multiplying the district's total taxable value of
16 property, as certified by the chief appraiser for the applicable
17 school year under Section 26.01, Tax Code, and as adjusted to
18 reflect changes made by the chief appraiser as of the time the
19 notice is prepared, by the total tax rate, and dividing the product
20 by the number of students in average daily attendance in the
21 district for the applicable school year; and

22 (ii) the "State Revenue per Student," which
23 is computed by determining the amount of state aid received or to be
24 received by the district under Chapters 42, 43, and 46 and dividing
25 that amount by the number of students in average daily attendance in
26 the district for the applicable school year; and

27 (C) contain an asterisk after each calculation

1 for "Interest & Sinking Fund" and a footnote to the section that, in
2 reduced type, states "The Interest & Sinking Fund tax revenue is
3 used to pay for bonded indebtedness on construction, equipment, or
4 both. The bonds, and the tax rate necessary to pay those bonds,
5 were approved by the voters of this district.";

6 (3) contain a section entitled "Comparison of Proposed
7 Levy with Last Year's Levy on Average Residence," which must:

8 (A) show in rows the information described by
9 Subparagraphs (i)-(iv), rounded to the nearest dollar, for columns
10 entitled "Last Year" and "This Year":

11 (i) "Average Market Value of Residences,"
12 determined using the same group of residences for each year;

13 (ii) "Average Taxable Value of Residences,"
14 determined after taking into account the limitation on the
15 appraised value of residences under Section 23.23, Tax Code, and
16 after subtracting all homestead exemptions applicable in each year,
17 other than exemptions available only to disabled persons or persons
18 65 years of age or older or their surviving spouses, and using the
19 same group of residences for each year;

20 (iii) "Last Year's Rate Versus Proposed
21 Rate per \$100 Value"; and

22 (iv) "Taxes Due on Average Residence,"
23 determined using the same group of residences for each year; and

24 (B) contain the following information:
25 "Increase (Decrease) in Taxes" expressed in dollars and cents,
26 which is computed by subtracting the "Taxes Due on Average
27 Residence" for the preceding tax year from the "Taxes Due on Average

1 Residence" for the current tax year;

2 (4) contain the following statement in bold print:

3 "Under state law, the dollar amount of school taxes imposed on the
4 residence of a person 65 years of age or older or of the surviving
5 spouse of such a person, if the surviving spouse was 55 years of age
6 or older when the person died, may not be increased above the amount
7 paid in the first year after the person turned 65, regardless of
8 changes in tax rate or property value.";

9 (5) if the school district has established a
10 limitation on the total amount of ad valorem taxes that may be
11 imposed by the district on the residence homestead of a person
12 serving on active duty in the United States armed forces or the
13 National Guard under Section 1-b(i), Article VIII, Texas
14 Constitution, contain the following statement in bold print:
15 "Under state law, the dollar amount of school taxes imposed on the
16 residence homestead of a person serving on active duty in the United
17 States armed forces or the National Guard may not be increased above
18 the amount of taxes imposed on the property in the preceding year,
19 regardless of changes in tax rate or property value.";

20 (6) contain the following statement in bold print:

21 "Notice of Rollback Rate: The highest tax rate the district can
22 adopt before requiring voter approval at an election is (the school
23 district rollback rate determined under Section 26.08, Tax Code).
24 This election will be automatically held if the district adopts a
25 rate in excess of the rollback rate of (the school district rollback
26 rate)."; and

27 (7) [~~6~~] contain a section entitled "Fund Balances,"

1 which must include the estimated amount of interest and sinking
2 fund balances and the estimated amount of maintenance and operation
3 or general fund balances remaining at the end of the current fiscal
4 year that are not encumbered with or by corresponding debt
5 obligation, less estimated funds necessary for the operation of the
6 district before the receipt of the first payment under Chapter 42 in
7 the succeeding school year.

8 SECTION 5. Section 403.302(d), Government Code, is amended
9 to read as follows:

10 (d) For the purposes of this section, "taxable value" means
11 the market value of all taxable property less:

12 (1) the total dollar amount of any residence homestead
13 exemptions lawfully granted under Section 11.13(b) or (c), Tax
14 Code, in the year that is the subject of the study for each school
15 district;

16 (2) one-half of the total dollar amount of any
17 residence homestead exemptions granted under Section 11.13(n), Tax
18 Code, in the year that is the subject of the study for each school
19 district;

20 (3) the total dollar amount of any exemptions granted
21 before May 31, 1993, within a reinvestment zone under agreements
22 authorized by Chapter 312, Tax Code;

23 (4) subject to Subsection (e), the total dollar amount
24 of any captured appraised value of property that:

25 (A) is within a reinvestment zone created on or
26 before May 31, 1999, or is proposed to be included within the
27 boundaries of a reinvestment zone as the boundaries of the zone and

1 the proposed portion of tax increment paid into the tax increment
2 fund by a school district are described in a written notification
3 provided by the municipality or the board of directors of the zone
4 to the governing bodies of the other taxing units in the manner
5 provided by Section 311.003(e), Tax Code, before May 31, 1999, and
6 within the boundaries of the zone as those boundaries existed on
7 September 1, 1999, including subsequent improvements to the
8 property regardless of when made;

9 (B) generates taxes paid into a tax increment
10 fund created under Chapter 311, Tax Code, under a reinvestment zone
11 financing plan approved under Section 311.011(d), Tax Code, on or
12 before September 1, 1999; and

13 (C) is eligible for tax increment financing under
14 Chapter 311, Tax Code;

15 (5) the total dollar amount of any exemptions granted
16 under Section 11.251, Tax Code;

17 (6) the difference between the comptroller's estimate
18 of the market value and the productivity value of land that
19 qualifies for appraisal on the basis of its productive capacity,
20 except that the productivity value estimated by the comptroller may
21 not exceed the fair market value of the land;

22 (7) the portion of the appraised value of residence
23 homesteads of individuals who receive a tax limitation under
24 Section 11.26 or 11.262, Tax Code, on which school district taxes
25 are not imposed in the year that is the subject of the study,
26 calculated as if the residence homesteads were appraised at the
27 full value required by law;

1 (8) a portion of the market value of property not
2 otherwise fully taxable by the district at market value because of:

3 (A) action required by statute or the
4 constitution of this state that, if the tax rate adopted by the
5 district is applied to it, produces an amount equal to the
6 difference between the tax that the district would have imposed on
7 the property if the property were fully taxable at market value and
8 the tax that the district is actually authorized to impose on the
9 property, if this subsection does not otherwise require that
10 portion to be deducted; or

11 (B) action taken by the district under Subchapter
12 B or C, Chapter 313, Tax Code;

13 (9) the market value of all tangible personal
14 property, other than manufactured homes, owned by a family or
15 individual and not held or used for the production of income;

16 (10) the appraised value of property the collection of
17 delinquent taxes on which is deferred under Section 33.06, Tax
18 Code;

19 (11) the portion of the appraised value of property
20 the collection of delinquent taxes on which is deferred under
21 Section 33.065, Tax Code; and

22 (12) the amount by which the market value of a
23 residence homestead to which Section 23.23, Tax Code, applies
24 exceeds the appraised value of that property as calculated under
25 that section.

26 SECTION 6. This Act takes effect January 1, 2006, and
27 applies only to ad valorem taxes imposed on or after that date, but

1 only if the constitutional amendment to authorize a political
2 subdivision to establish an ad valorem tax freeze on residence
3 homesteads of certain persons serving on active duty in the United
4 States armed forces or the National Guard is approved by the voters.
5 If that amendment is not approved by the voters, this Act has no
6 effect.