

By: Geren

H.B. No. 2483

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from ad valorem taxation of the residence homesteads of certain totally disabled veterans.

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

SECTION 1. Section 11.13, Tax Code, is amended by adding Subsection (s) to read as follows:

(s) A veteran of the armed services of the United States who is classified by the United States Department of Veterans Affairs or its successor or by the branch of the armed services in which the veteran served as permanently and totally disabled as a result of a service-connected disability is entitled to an exemption from taxation of the veteran's residence homestead.

SECTION 2. Section 403.302(d), Government Code, is amended to read as follows:

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

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

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

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

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

6           (A) is within a reinvestment zone created on or  
7 before May 31, 1999, or is proposed to be included within the  
8 boundaries of a reinvestment zone as the boundaries of the zone and  
9 the proposed portion of tax increment paid into the tax increment  
10 fund by a school district are described in a written notification  
11 provided by the municipality or the board of directors of the zone  
12 to the governing bodies of the other taxing units in the manner  
13 provided by Section 311.003(e), Tax Code, before May 31, 1999, and  
14 within the boundaries of the zone as those boundaries existed on  
15 September 1, 1999, including subsequent improvements to the  
16 property regardless of when made;

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

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

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

25           (6) the difference between the comptroller's estimate  
26 of the market value and the productivity value of land that  
27 qualifies for appraisal on the basis of its productive capacity,

1 except that the productivity value estimated by the comptroller may  
2 not exceed the fair market value of the land;

3 (7) the portion of the appraised value of residence  
4 homesteads of individuals who receive a tax limitation under  
5 Section 11.26, Tax Code, on which school district taxes are not  
6 imposed in the year that is the subject of the study, calculated as  
7 if the residence homesteads were appraised at the full value  
8 required by law;

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

11 (A) action required by statute or the  
12 constitution of this state that, if the tax rate adopted by the  
13 district is applied to it, produces an amount equal to the  
14 difference between the tax that the district would have imposed on  
15 the property if the property were fully taxable at market value and  
16 the tax that the district is actually authorized to impose on the  
17 property, if this subsection does not otherwise require that  
18 portion to be deducted; or

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

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

24 (10) the appraised value of property the collection of  
25 delinquent taxes on which is deferred under Section 33.06, Tax  
26 Code;

27 (11) the portion of the appraised value of property

1 the collection of delinquent taxes on which is deferred under  
2 Section 33.065, Tax Code; and

3 (12) the amount by which the market value of a  
4 residence homestead to which Section 23.23, Tax Code, applies  
5 exceeds the appraised value of that property as calculated under  
6 that section.

7 SECTION 3. This Act applies only to ad valorem taxes imposed  
8 for a tax year beginning on or after the effective date of this Act.

9 SECTION 4. This Act takes effect January 1, 2006, but only  
10 if the constitutional amendment proposed by the 79th Legislature,  
11 Regular Session, 2005, authorizing the legislature to exempt the  
12 residence homesteads of certain totally disabled veterans from ad  
13 valorem taxation is approved by the voters. If that amendment is  
14 not approved by the voters, this Act has no effect.