

By: Puente

H.B. No. 2492

Substitute the following for H.B. No. 2492:

By: Quintanilla

C.S.H.B. No. 2492

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of certain persons to bring suit to  
3 require an appraisal district or appraisal review board to comply  
4 with applicable law.

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

6 SECTION 1. Section 43.01, Tax Code, is amended to read as  
7 follows:

8 Sec. 43.01. AUTHORITY TO BRING SUIT. (a) A taxing unit may  
9 sue the appraisal district that appraises property for the unit to  
10 compel the appraisal district to comply with the provisions of this  
11 title, rules of the comptroller, or other applicable law.

12 (b) A person may sue an appraisal district or appraisal  
13 review board to compel the appraisal district or appraisal review  
14 board to comply with the provisions of this title, rules of the  
15 comptroller, or other applicable law if the failure to comply  
16 causes or will cause substantial economic harm to or denial of a  
17 statutory or constitutional right of that person. A person  
18 bringing an action under this subsection must pay \$500 into the  
19 registry of the court. The court shall distribute that amount to  
20 the prevailing party on entry of final judgment in the action.

21 (c) If the party bringing an action under this section  
22 prevails on the merits, the court shall enter an order compelling  
23 the appraisal district or appraisal review board to comply with the  
24 applicable law and ordering that the prevailing party recover its

1 costs.

2 (d) This section applies only to a matter that may not be the  
3 subject of a motion under Section 25.25(c) or (d) or a protest or  
4 challenge under Chapter 41.

5 SECTION 2. This Act takes effect September 1, 2005.