

By: Puente

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 to comply with applicable law.

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

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

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

11 (b) This subsection applies only to a matter that may not be
12 the subject of a protest under Subchapter C, Chapter 41. A person
13 may sue an appraisal district to compel the appraisal district to
14 comply with the provisions of this title, rules of the comptroller,
15 or other applicable law if the failure to comply prejudices a
16 substantial right of that person. Before the person may initiate an
17 action under this subsection, the person must pay \$500 into the
18 registry of the court. The court shall distribute that amount to
19 the prevailing party on entry of final judgment in the action.

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

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