

By: Cook of Colorado

H.B. No. 3124

A BILL TO BE ENTITLED

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AN ACT

relating to the ad valorem taxation of certain property owned by a municipality.

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

SECTION 1. Section 11.11, Tax Code, is amended by amending Subsection (a) and adding Subsection (j) to read as follows:

(a) Except as provided by Subsections (b), ~~and~~ (c), and (j) [of this section], property owned by this state or a political subdivision of this state is exempt from taxation if the property is used for public purposes.

(j) Real property owned by a municipality and otherwise exempt under Subsection (a) is taxable by a taxing unit that elects to tax the property if the property is located outside the corporate limits of the municipality. To tax the property in a tax year, the governing body of the taxing unit, not later than January 1 of that tax year, must take official action electing to tax the property and provide written notice of its action to the chief appraiser of the appraisal district that appraises property for the taxing unit in the territory in which the municipal property is located. An election to tax the municipal property applies to all real property owned by the municipality and located outside the corporate limits of the municipality and continues in effect for each subsequent tax year until the election to tax the property is revoked or rescinded by the governing body of the taxing unit.

1 SECTION 2. This Act takes effect January 1, 2006, but only
2 if the constitutional amendment to authorize the ad valorem
3 taxation of real property that is owned by a city or town and is
4 located outside the corporate limits of the city or town is approved
5 by the voters. If that constitutional amendment is not approved by
6 the voters, this Act has no effect.