

By: Hopson

H.J.R. No. 67

A JOINT RESOLUTION

1 proposing a constitutional amendment increasing the homestead
2 exemption to forty-five thousand dollars.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Subsection (c), Section 1-b, Article VIII, Texas
5 Constitution, is amended to read as follows:

6 (c) Forty-Five [~~Fifteen~~] Thousand Dollars (\$45,000)
7 [~~(\$15,000)~~] of the market value of the residence homestead of a
8 married or unmarried adult, including one living alone, is exempt
9 from ad valorem taxation for general elementary and secondary
10 public school purposes. The legislature by general law may provide
11 that all or part of the exemption does not apply to a district or
12 political subdivision that imposes ad valorem taxes for public
13 education purposes but is not the principal school district
14 providing general elementary and secondary public education
15 throughout its territory. In addition to this exemption, the
16 legislature by general law may exempt an amount not to exceed Ten
17 Thousand Dollars (\$10,000) of the market value of the residence
18 homestead of a person who is disabled as defined in Subsection (b)
19 of this section and of a person sixty-five (65) years of age or
20 older from ad valorem taxation for general elementary and secondary
21 public school purposes. The legislature by general law may base the
22 amount of and condition eligibility for the additional exemption
23 authorized by this subsection for disabled persons and for persons
24 sixty-five (65) years of age or older on economic need. An eligible

1 disabled person who is sixty-five (65) years of age or older may not
2 receive both exemptions from a school district but may choose
3 either. An eligible person is entitled to receive both the
4 exemption required by this subsection for all residence homesteads
5 and any exemption adopted pursuant to Subsection (b) of this
6 section, but the legislature shall provide by general law whether
7 an eligible disabled or elderly person may receive both the
8 additional exemption for the elderly and disabled authorized by
9 this subsection and any exemption for the elderly or disabled
10 adopted pursuant to Subsection (b) of this section. Where ad
11 valorem tax has previously been pledged for the payment of debt, the
12 taxing officers of a school district may continue to levy and
13 collect the tax against the value of homesteads exempted under this
14 subsection until the debt is discharged if the cessation of the levy
15 would impair the obligation of the contract by which the debt was
16 created. The legislature shall provide for formulas to protect
17 school districts against all or part of the revenue loss incurred by
18 the implementation of Article VIII, Sections 1-b(c), 1-b(d), and
19 1-d-1, of this constitution. The legislature by general law may
20 define residence homestead for purposes of this section.

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 8, 2005.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment increasing the
25 homestead exemption to forty-five thousand dollars."