

By: Raymond

H.J.R. No. 69

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature
2 to permit an elderly or disabled person who owns property
3 designated as a homestead to transfer the ownership of the property
4 and the benefits and protections that result from that designation.

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

6 SECTION 1. Article XVI, Texas Constitution, is amended by
7 adding Section 53 to read as follows:

8 Sec. 53. (a) In this section, "disabled" means under a
9 disability for purposes of payment of disability insurance benefits
10 under Federal Old-Age, Survivors, and Disability Insurance or its
11 successor.

12 (b) The legislature by general law may authorize a person
13 who is disabled or 65 years of age or older and who owns property
14 designated as that person's homestead to transfer to another person
15 by gift, sale, or otherwise the ownership of the property and any
16 property tax benefits or other protections that the property
17 receives as a result of being designated as that person's
18 homestead. Transferred property may retain the property tax
19 benefits and protections resulting from its designation as the
20 homestead of the transferor only as long as the transferor
21 continues to occupy the property as the transferor's principal
22 residence. The legislature by general law may provide eligibility
23 limitations under this section.

24 SECTION 2. This proposed constitutional amendment shall be

1 submitted to the voters at an election to be held November 8, 2005.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment authorizing the
4 legislature to permit an elderly or disabled person who owns
5 property designated as a homestead to transfer the ownership of the
6 property and the benefits and protections that result from that
7 designation."