

By: Haggerty

H.B. No. 867

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of certain persons to bring suit to
3 require an appraisal district or an appraisal review board to
4 comply with the property tax laws.

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) Any of the
9 following persons [A taxing unit] may sue an appropriate [the]
10 appraisal district or appraisal review board [that appraises
11 property for the unit] to compel the appraisal district or
12 appraisal review board to comply with the provisions of this title,
13 rules of the comptroller, or other applicable law if the person is
14 affected by the appraisal district's or appraisal review board's
15 failure to comply with the law:

16 (1) a taxing unit;

17 (2) a property owner;

18 (3) a lessee of property who is contractually
19 obligated to pay taxes imposed on the property;

20 (4) an agent of a property owner designated under
21 Section 1.111; or

22 (5) any other person authorized to bring an action on
23 behalf of a person listed in Subdivisions (1)-(4).

24 (b) The court shall award court costs and reasonable

1 attorney's fees to a plaintiff who prevails in a suit brought under
2 this section.

3 SECTION 2. The changes in law made by this Act apply only to
4 a suit filed under Section 43.01, Tax Code, on or after the
5 effective date of this Act. A suit filed under Section 43.01, Tax
6 Code, before the effective date of this Act is governed by the law
7 in effect on the date the suit was filed, and the former law is
8 continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2007.