

By: Howard of Fort Bend

H.B. No. 3189

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the notice of the public hearings to be held on a  
3 proposal to increase the total ad valorem tax revenues of a taxing  
4 unit.

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

6 SECTION 1. Section 26.06(b), Tax Code, as amended by  
7 Chapter 807, Acts of the 79th Legislature, Regular Session, 2005,  
8 is amended to read as follows:

9 (b) The notice of a public hearing may not be smaller than  
10 one-quarter page of a standard-size or a tabloid-size newspaper,  
11 and the headline on the notice must be in 24-point or larger type.  
12 The notice must ~~+~~

13 [~~(1)~~] contain a statement in the following form:

14 "NOTICE OF PUBLIC HEARING ON TAX INCREASE

15 "The (name of the taxing unit) will hold two ~~[a]~~ public  
16 hearings ~~[hearing]~~ on a proposal to increase total tax revenues  
17 from properties on the tax roll in the preceding tax year by  
18 (percentage by which proposed tax rate exceeds lower of rollback  
19 tax rate or effective tax rate calculated under this chapter)  
20 percent. Your individual taxes may increase at a greater or lesser  
21 rate, or even decrease, depending on the change in the taxable value  
22 of your property in relation to the change in taxable value of all  
23 other property and the tax rate that is adopted.

24 "The first public hearing will be held on (date and time) at

1 (meeting place).

2 "The second public hearing will be held on (date and time) at  
3 (meeting place).

4 "(Names of all members of the governing body, showing how  
5 each voted on the proposal to consider the tax increase or, if one  
6 or more were absent, indicating the absences.)

7 "The average taxable value of a residence homestead in (name  
8 of taxing unit) last year was \$\_\_\_\_\_ (average taxable value of a  
9 residence homestead in the taxing unit for the preceding tax year,  
10 disregarding residence homestead exemptions available only to  
11 disabled persons or persons 65 years of age or older). Based on  
12 last year's tax rate of \$\_\_\_\_\_ (preceding year's adopted tax rate) per  
13 \$100 of taxable value, the amount of taxes imposed last year on the  
14 average home was \$\_\_\_\_\_ (tax on average taxable value of a residence  
15 homestead in the taxing unit for the preceding tax year,  
16 disregarding residence homestead exemptions available only to  
17 disabled persons or persons 65 years of age or older).

18 "The average taxable value of a residence homestead in (name  
19 of taxing unit) this year is \$\_\_\_\_\_ (average taxable value of a  
20 residence homestead in the taxing unit for the current tax year,  
21 disregarding residence homestead exemptions available only to  
22 disabled persons or persons 65 years of age or older). If the  
23 governing body adopts the effective tax rate for this year of  
24 \$\_\_\_\_\_ (effective tax rate) per \$100 of taxable value, the amount of  
25 taxes imposed this year on the average home would be \$\_\_\_\_\_ (tax on  
26 average taxable value of a residence homestead in the taxing unit  
27 for the current tax year, disregarding residence homestead

1 exemptions available only to disabled persons or persons 65 years  
2 of age or older).

3 "If the governing body adopts the proposed tax rate of  
4 \$ (proposed tax rate) per \$100 of taxable value, the amount of  
5 taxes imposed this year on the average home would be \$ (tax on  
6 the average taxable value of a residence in the taxing unit for the  
7 current year disregarding residence homestead exemptions available  
8 only to disabled persons or persons 65 years of age or older).

9 "Members of the public are encouraged to attend the hearings  
10 and express their views." [~~and~~

11 [(2) contain the following information:

12 [(A) a section entitled "Comparison of Proposed  
13 Budget with Last Year's Budget," which must show the difference,  
14 expressed as a percent increase or decrease, as applicable, in the  
15 amount budgeted in the preceding fiscal year and the amount  
16 budgeted for the fiscal year that begins in the current tax year for  
17 each of the following:

18 [(i) maintenance and operations,

19 [(ii) debt service, and

20 [(iii) total expenditures,

21 [(B) a section entitled "Total Appraised Value  
22 and Total Taxable Value," which must show the total appraised value  
23 and the total taxable value of all property and the total appraised  
24 value and the total taxable value of new property taxable by the  
25 unit in the preceding tax year and the current tax year as  
26 calculated under Section 26.04,

27 [(C) the total amount of the outstanding and

1 ~~unpaid bonded indebtedness of the taxing unit;~~

2 ~~[(D) the unit's adopted tax rate for the~~  
3 ~~preceding tax year and the proposed tax rate, expressed as an amount~~  
4 ~~per \$100;~~

5 ~~[(E) the difference, expressed as an amount per~~  
6 ~~\$100 and as a percent increase or decrease, as applicable, in the~~  
7 ~~proposed tax rate compared to the adopted tax rate for the preceding~~  
8 ~~tax year;~~

9 ~~[(F) the average appraised value of a residence~~  
10 ~~homestead in the taxing unit in the preceding tax year and in the~~  
11 ~~current tax year; the unit's homestead exemption, other than an~~  
12 ~~exemption available only to disabled persons or persons 65 years of~~  
13 ~~age or older, applicable to that appraised value in each of those~~  
14 ~~years; and the average taxable value of a residence homestead in~~  
15 ~~the unit in each of those years, disregarding any homestead~~  
16 ~~exemption available only to disabled persons or persons 65 years of~~  
17 ~~age or older;~~

18 ~~[(G) the amount of tax that would have been~~  
19 ~~imposed by the unit in the preceding tax year on a residence~~  
20 ~~homestead appraised at the average appraised value of a residence~~  
21 ~~homestead in that year, disregarding any homestead exemption~~  
22 ~~available only to disabled persons or persons 65 years of age or~~  
23 ~~older;~~

24 ~~[(H) the amount of tax that would be imposed by~~  
25 ~~the unit in the current tax year on a residence homestead appraised~~  
26 ~~at the average appraised value of a residence homestead in the~~  
27 ~~current tax year, disregarding any homestead exemption available~~

1 ~~only to disabled persons or persons 65 years of age or older, if the~~  
2 ~~proposed tax rate is adopted, and~~

3 ~~[(I) the difference between the amounts of tax~~  
4 ~~calculated under Paragraphs (C) and (H), expressed in dollars and~~  
5 ~~cents and described as the annual increase or decrease, as~~  
6 ~~applicable, in the tax to be imposed by the unit on the average~~  
7 ~~residence homestead in the unit in the current tax year if the~~  
8 ~~proposed tax rate is adopted.]~~

9 SECTION 2. Section 26.06(b), Tax Code, as amended by  
10 Chapter 1368, Acts of the 79th Legislature, Regular Session, 2005,  
11 is repealed.

12 SECTION 3. (a) Section 26.06(b), Tax Code, as amended by  
13 this Act, applies to the publication of the notice required by  
14 Section 26.06, Tax Code, in connection with the adoption of the ad  
15 valorem tax rate of a taxing unit for the 2007 and subsequent tax  
16 years, except as provided by Subsection (b) of this section.

17 (b) If the taxing unit published the notice required by  
18 Section 26.06, Tax Code, before the effective date of this Act,  
19 Section 26.06(b), Tax Code, as amended by this Act, applies to the  
20 publication of the notices required by Section 26.06, Tax Code,  
21 only in connection with the adoption of the ad valorem tax rate for  
22 the taxing unit for the 2008 and subsequent tax years.

23 SECTION 4. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2007.