

AN ACT

relating to the delivery or filing of certain ad valorem tax notices.

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

SECTION 1. Sections 25.19(a) and (g), Tax Code, are amended to read as follows:

(a) By April 1 or as soon thereafter as practicable if the property is a single-family residence that qualifies for an exemption under Section 11.13, or by May 1 [15] or as soon thereafter as practicable in connection with any other property, the chief appraiser shall deliver a clear and understandable written notice to a property owner of the appraised value of the property owner's property if:

(1) the appraised value of the property is greater than it was in the preceding year;

(2) the appraised value of the property is greater than the value rendered by the property owner; or

(3) the property was not on the appraisal roll in the preceding year.

(g) By April 1 or as soon thereafter as practicable if the property is a single-family residence that qualifies for an exemption under Section 11.13, or by May 1 [15] or as soon thereafter as practicable in connection with any other property, the chief appraiser shall deliver a written notice to the owner of

1 each property not included in a notice required to be delivered  
2 under Subsection (a), if the property was reappraised in the  
3 current tax year, if the ownership of the property changed during  
4 the preceding year, or if the property owner or the agent of a  
5 property owner authorized under Section 1.111 makes a written  
6 request for the notice. The chief appraiser shall separate real  
7 from personal property and include in the notice for each property:

8 (1) the appraised value of the property in the  
9 preceding year;

10 (2) the appraised value of the property for the  
11 current year and the kind of each partial exemption, if any,  
12 approved for the current year;

13 (3) a detailed explanation of the time and procedure  
14 for protesting the value; and

15 (4) the date and place the appraisal review board will  
16 begin hearing protests.

17 SECTION 2. Section 31.01, Tax Code, is amended by adding  
18 Subsection (d-2) to read as follows:

19 (d-2) This subsection applies only to a school district and  
20 only in connection with taxes imposed by the district in 2007. This  
21 subsection expires January 1, 2008. In addition to any other  
22 information required by this section, the tax bill or separate  
23 statement shall separately state:

24 (1) the amount of tax that would be imposed by applying  
25 the district's maintenance and operations rate for the 2005 tax  
26 year to current total value for 2007;

27 (2) the amount of tax that would be imposed by applying

1 the district's maintenance and operations rate for the 2007 tax  
2 year to current total value for 2007; and

3 (3) the amount, if any, by which the amount calculated  
4 under Subdivision (1) exceeds the amount calculated under  
5 Subdivision (2), which must be labeled "Estimate of school district  
6 maintenance and operations property tax savings attributable to  
7 House Bill No. 1, Acts of the 79th Legislature, 3rd Called Session,  
8 2006, and appropriations of state funds by the 80th Legislature."

9 SECTION 3. Section 41.11(a), Tax Code, is amended to read as  
10 follows:

11 (a) Not later than the date the appraisal review board  
12 approves the appraisal records as provided by Section 41.12, the  
13 secretary of the board shall deliver written notice to a property  
14 owner of any change in the records that is ordered by the board as  
15 provided by this subchapter and that will result in an increase in  
16 the tax liability of the property owner. An owner who receives a  
17 notice as provided by this section shall be entitled to protest such  
18 action as provided by Section 41.44(a)(3) [~~41.44(a)(2)~~].

19 SECTION 4. (a) Section 41.411(c), Tax Code, is amended to  
20 read as follows:

21 (c) A property owner who protests as provided by this  
22 section must comply with the payment requirements of Section 42.08  
23 or the property owner [~~he~~] forfeits the property owner's [~~his~~]  
24 right to a final determination of the [~~his~~] protest. The  
25 delinquency date for purposes of Section 42.08(b) for the taxes on  
26 the property subject to a protest under this section is postponed to  
27 the 125th day after the date that one or more taxing units first

1 delivered written notice of the taxes due on the property, as  
2 determined by the appraisal review board at a hearing under Section  
3 41.44(c-3).

4 (b) Section 41.44, Tax Code, is amended by adding Subsection  
5 (c-3) to read as follows:

6 (c-3) Notwithstanding Subsection (c), a property owner who  
7 files a protest under Section 41.411 on or after the date the taxes  
8 on the property to which the notice applies become delinquent, but  
9 not later than the 125th day after the property owner, in the  
10 protest filed, claims to have first received written notice of the  
11 taxes in question, is entitled to a hearing solely on the issue of  
12 whether one or more taxing units timely delivered a tax bill. If at  
13 the hearing the appraisal review board determines that all of the  
14 taxing units failed to timely deliver a tax bill, the board shall  
15 determine the date on which at least one taxing unit first delivered  
16 written notice of the taxes in question, and for the purposes of  
17 this section the delinquency date is postponed to the 125th day  
18 after that date.

19 (c) The change in law made by this section applies only to an  
20 ad valorem tax protest filed on or after the effective date of this  
21 Act. An ad valorem tax protest filed before the effective date of  
22 this Act is governed by the law in effect at the time the protest was  
23 filed, and the former law is continued in effect for that purpose.

24 SECTION 5. Section 41.44, Tax Code, is amended by amending  
25 Subsections (a) and (c) and adding Subsection (b-1) to read as  
26 follows:

27 (a) Except as provided by Subsections (b), (b-1), (c),

1 (c-1), and (c-2), to be entitled to a hearing and determination of a  
2 protest, the property owner initiating the protest must file a  
3 written notice of the protest with the appraisal review board  
4 having authority to hear the matter protested:

5 (1) before May 1 or not later than the 30th day after  
6 the date that notice to the property owner was delivered to the  
7 property owner as provided by Section 25.19, if the property is a  
8 single-family residence that qualifies for an exemption under  
9 Section 11.13, whichever is later;

10 (2) before June 1 or not later than the 30th day after  
11 the date that notice was delivered to the property owner as provided  
12 by Section 25.19 in connection with any other property, whichever  
13 is later;

14 (3) ~~[(2)]~~ in the case of a protest of a change in the  
15 appraisal records ordered as provided by Subchapter A of this  
16 chapter or by Chapter 25, not later than the 30th day after the date  
17 notice of the change is delivered to the property owner; or

18 (4) ~~[(3)]~~ in the case of a determination that a change  
19 in the use of land appraised under Subchapter C, D, E, or H, Chapter  
20 23, has occurred, not later than the 30th day after the date the  
21 notice of the determination is delivered to the property owner.

22 (b-1) Notwithstanding Subsection (a)(1), an owner of  
23 property described by that subsection who files a notice of protest  
24 after the deadline prescribed by that subsection but before the  
25 appraisal review board approves the appraisal records is entitled  
26 to a hearing and determination of the protest if the property owner  
27 files the notice before June 1.

1           (c) A property owner who files notice of a protest  
2 authorized by Section 41.411 is entitled to a hearing and  
3 determination of the protest if the property owner ~~[he]~~ files the  
4 notice prior to the date the taxes on the property to which the  
5 notice applies become delinquent. An owner of land who files a  
6 notice of protest under Subsection (a)(4) ~~[(a)(3)]~~ is entitled to a  
7 hearing and determination of the protest without regard to whether  
8 the appraisal records are approved.

9           SECTION 6. This Act applies only to an ad valorem tax year  
10 that begins on or after the effective date of this Act.

11          SECTION 7. This Act takes effect January 1, 2008.

H.B. No. 3496

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3496 was passed by the House on April 27, 2007, by the following vote: Yeas 133, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3496 on May 25, 2007, by the following vote: Yeas 135, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3496 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor