

By: Janek

S.B. No. 1825

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the determination of the total taxable value of
3 property in a school district under the property value study
4 performed by the comptroller of public accounts.

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

6 SECTION 1. Section 403.302(d), Government Code, is amended
7 to read as follows:

8 (d) For the purposes of this section, "taxable value" means
9 the market value of all taxable property less:

10 (1) the total dollar amount of any residence homestead
11 exemptions lawfully granted under Section 11.13(b) or (c), Tax
12 Code, in the year that is the subject of the study for each school
13 district;

14 (2) one-half of the total dollar amount of any
15 residence homestead exemptions granted under Section 11.13(n), Tax
16 Code, in the year that is the subject of the study for each school
17 district;

18 (3) the total dollar amount of any exemptions granted
19 before May 31, 1993, within a reinvestment zone under agreements
20 authorized by Chapter 312, Tax Code;

21 (4) subject to Subsection (e), the total dollar amount
22 of any captured appraised value of property that:

23 (A) is within a reinvestment zone created on or
24 before May 31, 1999, or is proposed to be included within the

1 boundaries of a reinvestment zone as the boundaries of the zone and
2 the proposed portion of tax increment paid into the tax increment
3 fund by a school district are described in a written notification
4 provided by the municipality or the board of directors of the zone
5 to the governing bodies of the other taxing units in the manner
6 provided by Section 311.003(e), Tax Code, before May 31, 1999, and
7 within the boundaries of the zone as those boundaries existed on
8 September 1, 1999, including subsequent improvements to the
9 property regardless of when made;

10 (B) generates taxes paid into a tax increment
11 fund created under Chapter 311, Tax Code, under a reinvestment zone
12 financing plan approved under Section 311.011(d), Tax Code, on or
13 before September 1, 1999; and

14 (C) is eligible for tax increment financing under
15 Chapter 311, Tax Code;

16 (5) for a school district for which a deduction from
17 taxable value is made under Subdivision (4), an amount equal to the
18 taxable value required to generate revenue when taxed at the school
19 district's current tax rate in an amount that, when added to the
20 taxes of the district paid into a tax increment fund as described by
21 Subdivision (4)(B), is equal to the total amount of taxes the
22 district would have paid into the tax increment fund if the district
23 levied taxes at the rate the district levied in 2005;

24 (6) the total dollar amount of any exemptions granted
25 under Section 11.251, Tax Code;

26 (7) the difference between the comptroller's estimate
27 of the market value and the productivity value of land that

1 qualifies for appraisal on the basis of its productive capacity,
2 except that the productivity value estimated by the comptroller may
3 not exceed the fair market value of the land;

4 (8) the portion of the appraised value of residence
5 homesteads of individuals who receive a tax limitation under
6 Section 11.26, Tax Code, on which school district taxes are not
7 imposed in the year that is the subject of the study, calculated as
8 if the residence homesteads were appraised at the full value
9 required by law;

10 (9) a portion of the market value of property not
11 otherwise fully taxable by the district at market value because of:

12 (A) action required by statute or the
13 constitution of this state that, if the tax rate adopted by the
14 district is applied to it, produces an amount equal to the
15 difference between the tax that the district would have imposed on
16 the property if the property were fully taxable at market value and
17 the tax that the district is actually authorized to impose on the
18 property, if this subsection does not otherwise require that
19 portion to be deducted; or

20 (B) action taken by the district under Subchapter
21 B or C, Chapter 313, Tax Code;

22 (10) the market value of all tangible personal
23 property, other than manufactured homes, owned by a family or
24 individual and not held or used for the production of income;

25 (11) the appraised value of property the collection of
26 delinquent taxes on which is deferred under Section 33.06, Tax
27 Code;

1 (12) the portion of the appraised value of property
2 the collection of delinquent taxes on which is deferred under
3 Section 33.065, Tax Code; ~~and~~

4 (13) the amount by which the market value of a
5 residence homestead to which Section 23.23, Tax Code, applies
6 exceeds the appraised value of that property as calculated under
7 that section; and

8 (14) the total dollar amount of any reductions in
9 appraised value ordered by an appraisal review board in connection
10 with a protest authorized by Section 41.41(a)(2), Tax Code, or by a
11 court in connection with an appeal of the protest, in the year that
12 is the subject of the study.

13 SECTION 2. The change in law made by this Act applies only
14 to the annual study conducted under Section 403.302, Government
15 Code, to determine taxable value for a tax year that begins on or
16 after January 1, 2007. The annual study to determine taxable value
17 for a tax year that begins before that date is covered by the law in
18 effect immediately before the effective date of this Act, and the
19 prior law is continued in effect for that purpose.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.