

By: Nichols

S.J.R. No. 23

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature
2 to limit the maximum average annual increase in the appraised value
3 of residence homesteads for ad valorem tax purposes to five percent
4 or less and to permit the voters of a county to establish a higher
5 limitation not to exceed 10 percent on increases for residence
6 homesteads in the county.

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

8 SECTION 1. Section 1, Article VIII, Texas Constitution, is
9 amended by amending Subsection (i) and adding Subsection (i-1) to
10 read as follows:

11 (i) Notwithstanding Subsections (a) and (b) of this
12 section, the Legislature by general law may limit the maximum
13 average annual percentage increase in the appraised value of
14 residence homesteads for ad valorem tax purposes to five [10]
15 percent, or a lesser [greater] percentage, for each year since the
16 most recent tax appraisal. A limitation on appraisal increases
17 authorized by this subsection:

18 (1) takes effect as to a residence homestead on the
19 later of the effective date of the law imposing the limitation or
20 January 1 of the tax year following the first tax year the owner
21 qualifies the property for an exemption under Section 1-b of this
22 article; and

23 (2) expires on January 1 of the first tax year that
24 neither the owner of the property when the limitation took effect

1 nor the owner's spouse or surviving spouse qualifies for an
2 exemption under Section 1-b of this article.

3 (i-1) Notwithstanding Subsections (a) and (b) of this
4 section, if the Legislature establishes a limitation on increases
5 in the appraised value of residence homesteads as authorized by
6 Subsection (i) of this section, the commissioners court of a county
7 may call an election in the county to permit the voters to determine
8 by majority vote whether to establish for purposes of ad valorem
9 taxation by each political subdivision in the county a limitation
10 on the maximum average annual percentage increase in the appraised
11 value of residence homesteads in the county that is greater than the
12 percentage established by the Legislature under Subsection (i) of
13 this section but not more than 10 percent. The ballot proposition
14 shall specify the proposed percentage limitation on appraisal
15 increases. A limitation on appraisal increases established under
16 this subsection takes effect and expires in the manner provided by
17 Subsection (i) of this section. If the voters of a county establish
18 a limitation on appraisal increases under this subsection, the
19 limitation remains in effect until amended or repealed by the
20 voters of the county at a subsequent election called by the
21 governing body of the county. The Legislature by general law may
22 limit the frequency with which elections authorized by this
23 subsection may be called in a county.

24 SECTION 2. This proposed constitutional amendment shall be
25 submitted to the voters at an election to be held November 6, 2007.
26 The ballot shall be printed to permit voting for or against the
27 proposition: "The constitutional amendment to authorize the

1 legislature to limit the maximum average annual increase in the
2 appraised value of residence homesteads for ad valorem tax purposes
3 to five percent or less and to permit the voters of a county to
4 establish a higher limitation not to exceed 10 percent on increases
5 for residence homesteads in the county."