

BILL ANALYSIS

C.S.H.B. 2317
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Ways & Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many Texans have expressed concerns about local appraisal review boards' ability to appropriately handle appraisal appeals.

C.S.H.B. 2317 requires a comprehensive training course for new appraisal review board members and a continuing education course for all members. The bill specifies required curricula and materials for the continuing education course. The bill encourages the boards to elect a chairman who has a background in law and property appraisal.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2317 amends the Tax Code to specify that the training and education course for appraisal review board members that the comptroller of public accounts under existing law is required to supervise is a comprehensive course. The bill requires the comptroller, in addition to that course, to approve curricula and provide materials for use in a continuing education course for members of an appraisal review board. The bill requires the curricula and materials for the continuing education course to include information regarding the costs, income, and market data comparison methods of appraising property; the appraisal of business personal property; the determination of capitalization rates for property appraisal purposes; the duties of an appraisal review board; the requirements regarding the independence of an appraisal review board from the board of directors and the chief appraiser and other employees of the appraisal district; the prohibitions against ex parte communications applicable to appraisal review board members; the Uniform Standards of Professional Appraisal Practice; the duty of the appraisal district to substantiate the district's determination of the value of property; and the requirements regarding the equal and uniform appraisal of property.

C.S.H.B. 2317 requires an appraisal review board member, as soon as practicable after the beginning of the second year of the member's term of office, to successfully complete the continuing education course. The bill prohibits a person who fails to timely complete the continuing education course from being reappointed to an additional term on the board. The bill requires the person, if the person is reappointed to an additional term, to successfully complete the continuing education course in each year the member continues to serve. The bill authorizes the comptroller to contract with service providers to assist with the duties relating to curricula and materials for the continuing education course, but prohibits the course from being provided by an appraisal district or a taxing unit. The bill authorizes the comptroller to assess a fee to recover a portion of the costs incurred for the continuing education course and prohibits the fee from exceeding \$50 for each person trained.

C.S.H.B. 2317 requires the selection of an appraisal review board chairman and a secretary by the board of directors of an appraisal district to be accomplished by resolution. The bill provides that the appraisal review board is encouraged to select as chairman of the appraisal review board a member of the appraisal review board, if any, who has a background in law and property appraisal.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2317 differs from the original by adding the specific information to be included in the curricula and materials for the continuing education course. The substitute differs from the original by clarifying that the board of directors of the appraisal district is required by resolution to select, rather than required to elect, an appraisal review board chairman and a secretary.