

By: Branch

H.B. No. 60

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that tax collectors accept partial payments of ad valorem taxes.

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

SECTION 1. Sections 31.07(c) and (d), Tax Code, are amended to read as follows:

(c) A collector shall accept ~~[may adopt a policy of accepting]~~ partial payments of property taxes. A payment option provided by Section 31.03 ~~[of this code]~~ or a discount adopted under Section 31.05 ~~[of this code]~~ does not apply to any portion of a partial payment. If a collector accepts a partial payment on a tax bill that includes taxes for more than one taxing unit, the collector shall allocate the partial payment among all the taxing units included in the bill in proportion to the amount of tax included in the bill for each taxing unit, unless the collector under Subsection (b) has adopted a policy of accepting payments of a taxing unit's taxes separate from the taxes of other taxing units included in the same bill and the taxpayer directs that the partial payment be allocated in specific amounts to one or more specific taxing units. Acceptance of a partial payment does not affect the date that the tax becomes delinquent, but the penalties and interest provided by Section 33.01 ~~[of this code]~~ are incurred only by the portion of a tax that remains unpaid on the date the tax becomes delinquent.

1 (d) Notwithstanding Subsection (c), if a taxpayer makes
2 ~~[collector shall accept]~~ a partial payment of property taxes on a
3 tax bill that includes taxes for more than one taxing unit and ~~[if]~~
4 one or more of the taxing units has adopted the discounts under
5 Section 31.05 ~~[of this code]~~, the taxpayer may direct ~~[directs]~~
6 that the partial payment be allocated first to the payment of the
7 taxes owed to one or more of the taxing units that have adopted the
8 discounts, if ~~[and]~~ the amount of the payment is equal to or greater
9 than the amount of the taxes owed to the taxing units designated by
10 the taxpayer, and the discounts apply to the taxes paid to those
11 taxing units.

12 SECTION 2. This Act applies only to the payment of a tax
13 bill mailed on or after the effective date of this Act. The payment
14 of a tax bill mailed before the effective date of this Act is
15 governed by the law in effect on the date the tax bill is mailed, and
16 that law is continued in effect for that purpose.

17 SECTION 3. This Act takes effect September 1, 2009.