

By: Callegari

H.B. No. 1030

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the scheduling of hearings before appraisal review
3 boards on property tax protests.

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

5 SECTION 1. Section 41.45(e), Tax Code, is amended to read as
6 follows:

7 (e) On request made to the appraisal review board before the
8 date of the hearing, a property owner who has not designated an
9 agent under Section 1.111 to represent the owner at the hearing is
10 entitled to one postponement of the hearing to a later date without
11 showing cause. In addition and without limitation as to the number
12 of postponements, the board shall postpone the hearing to a later
13 date if the property owner or the owner's agent at any time shows
14 reasonable cause for the postponement or if the chief appraiser
15 consents to the postponement. The hearing may not be postponed to a
16 date less than five or more than 30 days after the date scheduled
17 for the hearing when the postponement is sought unless the date and
18 time of the hearing as postponed are agreed to by the chairman of
19 the appraisal review board, the property owner, and the chief
20 appraiser. A request by a property owner for a postponement under
21 this subsection may be made in writing, including by facsimile
22 transmission or electronic mail, by telephone, or in person to the
23 appraisal review board, a panel of the board, or the chairman of the
24 board. The chairman or the chairman's representative may take

1 action on [~~grant, but may not deny,~~] a postponement under this
2 subsection without the necessity of action by the full board if the
3 hearing for which the postponement is requested is scheduled to
4 occur before the next regular meeting of the board. The granting by
5 the appraisal review board, the chairman, or the chairman's
6 representative of a postponement under this subsection does not
7 require the delivery of additional written notice to the property
8 owner. Action on a request for postponement is final and may not be
9 the subject of a protest under this chapter.

10 SECTION 2. The change in law made by this Act applies only
11 to a postponement of a hearing that is requested on or after the
12 effective date of this Act. A postponement of a hearing that is
13 requested before the effective date of this Act is governed by the
14 law as it existed immediately before the effective date of this Act,
15 and that law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2009.