

By: Martinez

H.B. No. 1172

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from ad valorem taxation of the residence homesteads of certain partially disabled veterans.

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

SECTION 1. Section 11.13, Tax Code, is amended by adding Subsection (t) to read as follows:

(t) For purposes of this subsection, "disability rating" and "disabled veteran" have the meanings assigned by Section 11.22. A disabled veteran who has a disability rating of less than 100 percent is entitled to an exemption from taxation of a percentage of the appraised value of the disabled veteran's residence homestead equal to the disabled veteran's disability rating.

SECTION 2. Section 403.302(d), Government Code, is amended to read as follows:

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

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

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

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

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

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

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

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

23           (5) for a school district for which a deduction from  
24 taxable value is made under Subdivision (4), an amount equal to the  
25 taxable value required to generate revenue when taxed at the school  
26 district's current tax rate in an amount that, when added to the  
27 taxes of the district paid into a tax increment fund as described by

1 Subdivision (4)(B), is equal to the total amount of taxes the  
2 district would have paid into the tax increment fund if the district  
3 levied taxes at the rate the district levied in 2005;

4 (6) the total dollar amount of any captured appraised  
5 value of property that:

6 (A) is within a reinvestment zone:

7 (i) created on or before December 31, 2008,  
8 by a municipality with a population of less than 18,000; and

9 (ii) the project plan for which includes  
10 the alteration, remodeling, repair, or reconstruction of a  
11 structure that is included on the National Register of Historic  
12 Places and requires that a portion of the tax increment of the zone  
13 be used for the improvement or construction of related facilities  
14 or for affordable housing;

15 (B) generates school district taxes that are paid  
16 into a tax increment fund created under Chapter 311, Tax Code; and

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

19 (7) the total dollar amount of any exemptions granted  
20 under Section 11.251 or 11.253, Tax Code;

21 (8) the difference between the comptroller's estimate  
22 of the market value and the productivity value of land that  
23 qualifies for appraisal on the basis of its productive capacity,  
24 except that the productivity value estimated by the comptroller may  
25 not exceed the fair market value of the land;

26 (9) the portion of the appraised value of residence  
27 homesteads of individuals who receive a tax limitation under

1 Section 11.26, Tax Code, on which school district taxes are not  
2 imposed in the year that is the subject of the study, calculated as  
3 if the residence homesteads were appraised at the full value  
4 required by law;

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

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

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

17 (11) the market value of all tangible personal  
18 property, other than manufactured homes, owned by a family or  
19 individual and not held or used for the production of income;

20 (12) the appraised value of property the collection of  
21 delinquent taxes on which is deferred under Section 33.06, Tax  
22 Code;

23 (13) the portion of the appraised value of property  
24 the collection of delinquent taxes on which is deferred under  
25 Section 33.065, Tax Code; and

26 (14) the amount by which the market value of a  
27 residence homestead to which Section 23.23, Tax Code, applies

1 exceeds the appraised value of that property as calculated under  
2 that section.

3         SECTION 3. This Act applies only to ad valorem taxes imposed  
4 for a tax year beginning on or after the effective date of this Act.

5         SECTION 4. This Act takes effect January 1, 2010, but only  
6 if the constitutional amendment proposed by the 81st Legislature,  
7 Regular Session, 2009, authorizing the legislature to exempt a  
8 percentage of the market value of the residence homesteads of  
9 certain partially disabled veterans from ad valorem taxation is  
10 approved by the voters. If that amendment is not approved by the  
11 voters, this Act has no effect.