

AN ACT

relating to appraisal review board members.

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

SECTION 1. Section 5.041, Tax Code, is amended by amending Subsection (a) and adding Subsections (e-1), (e-2), and (e-3) to read as follows:

(a) The comptroller shall:

(1) approve curricula and provide materials for use in training and educating members of an appraisal review board; ~~and~~

(2) supervise a comprehensive course for training and education of appraisal review board members and issue certificates indicating course completion;

(3) make all materials for use in training and educating members of an appraisal review board freely available online;

(4) establish and maintain a toll-free telephone number that appraisal review board members may call for answers to technical questions relating to the duties and responsibilities of appraisal review board members and property appraisal issues; and

(5) provide, as feasible, online technological assistance to improve the operations of appraisal review boards and appraisal districts.

(e-1) In addition to the course established under Subsection (a), the comptroller shall approve curricula and provide

1 materials for use in a continuing education course for members of an
2 appraisal review board. The curricula and materials must include
3 information regarding:

4 (1) the cost, income, and market data comparison
5 methods of appraising property;

6 (2) the appraisal of business personal property;

7 (3) the determination of capitalization rates for
8 property appraisal purposes;

9 (4) the duties of an appraisal review board;

10 (5) the requirements regarding the independence of an
11 appraisal review board from the board of directors and the chief
12 appraiser and other employees of the appraisal district;

13 (6) the prohibitions against ex parte communications
14 applicable to appraisal review board members;

15 (7) the Uniform Standards of Professional Appraisal
16 Practice;

17 (8) the duty of the appraisal district to substantiate
18 the district's determination of the value of property;

19 (9) the requirements regarding the equal and uniform
20 appraisal of property;

21 (10) the right of a property owner to protest the
22 appraisal of the property as provided by Chapter 41; and

23 (11) a detailed explanation of each of the actions
24 described by Sections 41.41(a), 41.411, 41.412, 41.413, 41.42, and
25 41.43 so that members are fully aware of each of the grounds on
26 which a property appraisal can be appealed.

27 (e-2) As soon as practicable after the beginning of the

1 second year of an appraisal review board member's term of office,
2 the member must successfully complete the course established under
3 Subsection (e-1). A person who fails to timely complete the course
4 established under Subsection (e-1) may not be reappointed to an
5 additional term on the appraisal review board. If the person is
6 reappointed to an additional term on the appraisal review board,
7 the person must successfully complete the course established under
8 Subsection (e-1) in each year the member continues to serve.

9 (e-3) The comptroller may contract with service providers
10 to assist with the duties imposed under Subsection (e-1), but the
11 course required by that subsection may not be provided by an
12 appraisal district or a taxing unit. The comptroller may assess a
13 fee to recover a portion of the costs incurred for the continuing
14 education course, but the fee may not exceed \$50 for each person
15 trained.

16 SECTION 2. Section 6.42(a), Tax Code, is amended to read as
17 follows:

18 (a) A majority of the appraisal review board constitutes a
19 quorum. The board of directors of the appraisal district by
20 resolution shall select [~~elect~~] a chairman and a secretary from
21 among the [~~its~~] members of the appraisal review board. The board of
22 directors of the appraisal district is encouraged to select as
23 chairman of the appraisal review board a member of the appraisal
24 review board, if any, who has a background in law and property
25 appraisal.

26 SECTION 3. The change in law made by this Act to continuing
27 education requirements under Section 5.041, Tax Code, applies only

H.B. No. 2317

1 to a term of office that expires on or after the effective date of
2 this Act.

3 SECTION 4. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 2317 was passed by the House on April 28, 2009, by the following vote: Yeas 134, Nays 12, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2317 on May 20, 2009, by the following vote: Yeas 128, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2317 was passed by the Senate, with amendments, on May 13, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor