

By: Villarreal, Flores

H.B. No. 2317

Substitute the following for H.B. No. 2317:

By: Otto

C.S.H.B. No. 2317

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the qualifications and training of appraisal review  
3 board members.

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

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

8 (a) The comptroller shall:

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

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

14 (e-1) In addition to the course established under  
15 Subsection (a), the comptroller shall approve curricula and provide  
16 materials for use in a continuing education course for members of an  
17 appraisal review board. The curricula and materials must include  
18 information regarding:

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

21 (2) the appraisal of business personal property;

22 (3) the determination of capitalization rates for  
23 property appraisal purposes;

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

1           (5) the requirements regarding the independence of an  
2 appraisal review board from the board of directors and the chief  
3 appraiser and other employees of the appraisal district;

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

6           (7) the Uniform Standards of Professional Appraisal  
7 Practice;

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

10           (9) the requirements regarding the equal and uniform  
11 appraisal of property.

12           (e-2) As soon as practicable after the beginning of the  
13 second year of an appraisal review board member's term of office,  
14 the member must successfully complete the course established under  
15 Subsection (e-1). A person who fails to timely complete the course  
16 established under Subsection (e-1) may not be reappointed to an  
17 additional term on the appraisal review board. If the person is  
18 reappointed to an additional term on the appraisal review board,  
19 the person must successfully complete the course established under  
20 Subsection (e-1) in each year the member continues to serve.

21           (e-3) The comptroller may contract with service providers  
22 to assist with the duties imposed under Subsection (e-1), but the  
23 course required by that subsection may not be provided by an  
24 appraisal district or a taxing unit. The comptroller may assess a  
25 fee to recover a portion of the costs incurred for the continuing  
26 education course, but the fee may not exceed \$50 for each person  
27 trained.

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

3 (a) A majority of the appraisal review board constitutes a  
4 quorum. The board of directors of the appraisal district by  
5 resolution shall select [~~elect~~] a chairman and a secretary from  
6 among the [its] members of the appraisal review board. The board of  
7 directors of the appraisal district is encouraged to select as  
8 chairman of the appraisal review board a member of the appraisal  
9 review board, if any, who has a background in law and property  
10 appraisal.

11 SECTION 3. The change in law made by this Act to continuing  
12 education requirements under Section 5.041, Tax Code, applies only  
13 to a term of office that expires on or after the effective date of  
14 this Act.

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