

1-1 By: Villarreal, et al. (Senate Sponsor - Seliger) H.B. No. 2317
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 4, 2009, read first time and referred to Committee on Finance;
1-4 May 11, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 12, Nays 0; May 11, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2317 By: Seliger

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to appraisal review board members.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 5.041, Tax Code, is amended by amending
1-13 Subsection (a) and adding Subsections (e-1), (e-2), and (e-3) to
1-14 read as follows:

1-15 (a) The comptroller shall:

1-16 (1) approve curricula and provide materials for use in
1-17 training and educating members of an appraisal review board; ~~and~~

1-18 (2) supervise a comprehensive course for training and
1-19 education of appraisal review board members and issue certificates
1-20 indicating course completion;

1-21 (3) make all materials for use in training and
1-22 educating members of an appraisal review board freely available
1-23 online;

1-24 (4) establish and maintain a toll-free telephone
1-25 number that appraisal review board members may call for answers to
1-26 technical questions relating to the duties and responsibilities of
1-27 appraisal review board members and property appraisal issues; and

1-28 (5) provide, as feasible, online technological
1-29 assistance to improve the operations of appraisal review boards and
1-30 appraisal districts.

1-31 (e-1) In addition to the course established under
1-32 Subsection (a), the comptroller shall approve curricula and provide
1-33 materials for use in a continuing education course for members of an
1-34 appraisal review board. The curricula and materials must include
1-35 information regarding:

1-36 (1) the cost, income, and market data comparison
1-37 methods of appraising property;

1-38 (2) the appraisal of business personal property;

1-39 (3) the determination of capitalization rates for
1-40 property appraisal purposes;

1-41 (4) the duties of an appraisal review board;

1-42 (5) the requirements regarding the independence of an
1-43 appraisal review board from the board of directors and the chief
1-44 appraiser and other employees of the appraisal district;

1-45 (6) the prohibitions against ex parte communications
1-46 applicable to appraisal review board members;

1-47 (7) the Uniform Standards of Professional Appraisal
1-48 Practice;

1-49 (8) the duty of the appraisal district to substantiate
1-50 the district's determination of the value of property;

1-51 (9) the requirements regarding the equal and uniform
1-52 appraisal of property;

1-53 (10) the right of a property owner to protest the
1-54 appraisal of the property as provided by Chapter 41; and

1-55 (11) a detailed explanation of each of the actions
1-56 described by Sections 41.41(a), 41.411, 41.412, 41.413, 41.42, and
1-57 41.43 so that members are fully aware of each of the grounds on
1-58 which a property appraisal can be appealed.

1-59 (e-2) As soon as practicable after the beginning of the
1-60 second year of an appraisal review board member's term of office,
1-61 the member must successfully complete the course established under
1-62 Subsection (e-1). A person who fails to timely complete the course
1-63 established under Subsection (e-1) may not be reappointed to an

2-1 additional term on the appraisal review board. If the person is
2-2 reappointed to an additional term on the appraisal review board,
2-3 the person must successfully complete the course established under
2-4 Subsection (e-1) in each year the member continues to serve.

2-5 (e-3) The comptroller may contract with service providers
2-6 to assist with the duties imposed under Subsection (e-1), but the
2-7 course required by that subsection may not be provided by an
2-8 appraisal district or a taxing unit. The comptroller may assess a
2-9 fee to recover a portion of the costs incurred for the continuing
2-10 education course, but the fee may not exceed \$50 for each person
2-11 trained.

2-12 SECTION 2. Section 6.42(a), Tax Code, is amended to read as
2-13 follows:

2-14 (a) A majority of the appraisal review board constitutes a
2-15 quorum. The board of directors of the appraisal district by
2-16 resolution shall select [elect] a chairman and a secretary from
2-17 among the [its] members of the appraisal review board. The board of
2-18 directors of the appraisal district is encouraged to select as
2-19 chairman of the appraisal review board a member of the appraisal
2-20 review board, if any, who has a background in law and property
2-21 appraisal.

2-22 SECTION 3. The change in law made by this Act to continuing
2-23 education requirements under Section 5.041, Tax Code, applies only
2-24 to a term of office that expires on or after the effective date of
2-25 this Act.

2-26 SECTION 4. This Act takes effect September 1, 2009.

2-27 * * * * *