

By: Otto, Oliveira, Paxton, Taylor, Peña,  
et al.

H.B. No. 3613

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the determination of the market value of a residence  
3 homestead for ad valorem tax purposes on the basis of the property's  
4 value as a residence homestead.

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

6 SECTION 1. Section 23.01, Tax Code, is amended by adding  
7 Subsection (c) to read as follows:

8 (c) The market value of a residence homestead shall be  
9 determined solely on the basis of the property's value as a  
10 residence homestead, regardless of whether the residential use of  
11 the property by the owner is considered to be the highest and best  
12 use of the property.

13 SECTION 2. This Act takes effect only if the constitutional  
14 amendment proposed by the 81st Legislature, Regular Session, 2009,  
15 authorizing the legislature to provide for the ad valorem taxation  
16 of a residence homestead solely on the basis of the property's value  
17 as a residence homestead is approved by the voters. If that  
18 amendment is not approved by the voters, this Act has no effect.

19 SECTION 3. This Act applies only to an ad valorem tax year  
20 that begins on or after the effective date of this Act.

21 SECTION 4. This Act takes effect January 1, 2010.