

By: Olivo

H.B. No. 4692

Substitute the following for H.B. No. 4692:

By: Oliveira

C.S.H.B. No. 4692

A BILL TO BE ENTITLED

AN ACT

relating to the deferred collection of taxes on the residence
homestead of an elderly or disabled individual.

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

SECTION 1. Section 33.06, Tax Code, is amended by adding
Subsections (g), (h), and (i) to read as follows:

(g) If a taxing unit receives payment from a mortgagee or
other third party for taxes deferred by an individual under this
section, the taxing unit must return the payment to the mortgagee or
other third party that made the payment within a reasonable time and
inform the mortgagee or other third party of the deferral provided
under this section.

(h) If a mortgagee makes a payment to a taxing unit for taxes
deferred by an individual under this section and the mortgagee
increases the required amount of the individual's escrow payments
in connection with the mortgage as a result of the mortgagee's tax
payment to the taxing unit, after the taxing unit returns the tax
payment to the mortgagee as required by Subsection (g), the
mortgagee shall reduce the required amount of escrow payments to
the appropriate amount calculated as if the tax payment had not been
made.

(i) A mortgagee may not establish an escrow account for the
payment of taxes deferred by an individual under this section
without the individual's written consent. This subsection may not

1 be waived, voided, or modified by contract.

2 SECTION 2. Section 33.06(i), Tax Code, as added by this Act,
3 applies to a mortgage that is issued before, on, or after the
4 effective date of this Act.

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