

By: Zerwas

H.J.R. No. 42

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature
2 to limit the maximum appraised value of a residence homestead for ad
3 valorem tax purposes to 105 percent or more of the appraised value
4 of the property for the preceding tax year.

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

6 SECTION 1. Section 1(i), Article VIII, Texas Constitution,
7 is amended to read as follows:

8 (i) Notwithstanding Subsections (a) and (b) of this
9 section, the Legislature by general law may limit the maximum
10 appraised value of a residence homestead for ad valorem tax
11 purposes in a tax year to the lesser of the most recent market value
12 of the residence homestead as determined by the appraisal entity or
13 105 [~~110~~] percent, or a greater percentage, of the appraised value
14 of the residence homestead for the preceding tax year. A limitation
15 on appraised values authorized by this subsection:

16 (1) takes effect as to a residence homestead on the
17 later of the effective date of the law imposing the limitation or
18 January 1 of the tax year following the first tax year the owner
19 qualifies the property for an exemption under Section 1-b of this
20 article; and

21 (2) expires on January 1 of the first tax year that
22 neither the owner of the property when the limitation took effect
23 nor the owner's spouse or surviving spouse qualifies for an
24 exemption under Section 1-b of this article.

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held November 3, 2009.
3 The ballot shall be printed to permit voting for or against the
4 proposition: "The constitutional amendment to authorize the
5 legislature to limit the maximum appraised value of a residence
6 homestead for ad valorem tax purposes to 105 percent or more of the
7 appraised value of the property for the preceding tax year."