

By: Callegari

H.J.R. No. 49

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature  
2 to limit the maximum appraised value of real property for ad valorem  
3 tax purposes to 110 percent or more of the appraised value of the  
4 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 real property [~~a residence homestead~~] for ad  
11 valorem tax purposes in a tax year to the lesser of the most recent  
12 market value of the real property [~~residence homestead~~] as  
13 determined by the appraisal entity or 110 percent, or a greater  
14 percentage, of the appraised value of the real property [~~residence~~  
15 ~~homestead~~] for the preceding tax year. A limitation on appraised  
16 values authorized by this subsection:

17 (1) takes effect in the tax year following the first  
18 tax year in which the owner owns the property on January 1 or, if the  
19 property qualifies for an exemption as the [~~to a~~] residence  
20 homestead of the owner under Section 1-b of this article in the tax  
21 year in which the owner acquires the property, in [~~on the later of~~  
22 ~~the effective date of the law imposing the limitation or January 1~~  
23 ~~of~~] the tax year following the [~~first~~] tax year in which the owner  
24 acquires [~~qualifies~~] the property [~~for an exemption under Section~~

1 ~~1-b of this article~~]; and

2           (2) expires on January 1 of the [~~first~~] tax year  
3 following the tax year in which [~~that neither~~] the owner of the  
4 property when the limitation took effect ceases to own the  
5 property, except that the Legislature by general law may provide  
6 for the limitation applicable to a residence homestead to continue  
7 during ownership of the property by [~~nor~~] the owner's spouse or  
8 surviving spouse [~~qualifies for an exemption under Section 1-b of~~  
9 ~~this article~~].

10           SECTION 2. This proposed constitutional amendment shall be  
11 submitted to the voters at an election to be held November 3, 2009.  
12 The ballot shall be printed to permit voting for or against the  
13 proposition: "The constitutional amendment to authorize the  
14 legislature to limit the maximum appraised value of real property  
15 for ad valorem tax purposes to 110 percent or more of the appraised  
16 value of the property for the preceding tax year."