

By: Creighton

H.J.R. No. 67

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature
2 to provide for a local option election in Montgomery County to limit
3 the maximum appraised value of a residence homestead to 103 percent
4 or more of the appraised value of the property for the preceding tax
5 year for purposes of ad valorem taxation by each political
6 subdivision all of the territory of which is located in the county.

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

8 SECTION 1. Section 1, Article VIII, Texas Constitution, is
9 amended by adding Subsection (j) to read as follows:

10 (j) Notwithstanding Subsections (a), (b), and (i) of this
11 section, the Legislature may authorize the commissioners court of
12 Montgomery County to call an election in the county to permit the
13 voters of the county to determine by majority vote whether to
14 establish for purposes of ad valorem taxation by each political
15 subdivision all of the territory of which is located in the county a
16 percentage limitation on the maximum appraised value of a residence
17 homestead in the political subdivision of not less than 103 percent
18 of the appraised value of the property for the preceding tax year.
19 The ballot proposition shall specify the proposed percentage
20 limitation on maximum appraised value. A limitation on maximum
21 appraised value established under this subsection takes effect as
22 to a residence homestead on the later of January 1 of the tax year
23 following the year in which the election is held or January 1 of the
24 tax year following the first tax year the owner qualifies the

property for an exemption under Section 1-b of this article. As to a residence homestead, the limitation expires on January 1 of the first tax year that neither the owner of the property when the limitation took effect nor the owner's spouse or surviving spouse qualifies for an exemption under Section 1-b of this article. If the voters of the county establish a limitation on maximum appraised value under this subsection applicable to a tax year for which the Legislature has enacted a limitation under Subsection (i) of this section, the lower percentage limitation applies to ad valorem taxation by each political subdivision all of the territory of which is located in the county. If the voters of the county establish a limitation on maximum appraised value under this subsection, the limitation remains in effect until the tax year following a year in which the limitation is amended or repealed by the voters of the county at a subsequent election called by the commissioners court for that purpose.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2009. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to provide for a local option election in Montgomery County to limit the maximum appraised value of a residence homestead to 103 percent or more of the appraised value of the property for the preceding tax year for purposes of ad valorem taxation by each political subdivision all of the territory of which is located in the county."