

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 8, 2009**

**TO:** Honorable Rene Oliveira, Chair, House Committee on Ways & Means

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HJR91** by Sheffield (Proposing a constitutional amendment authorizing the legislature to establish a limit on the amount of ad valorem taxes that may be imposed on the residence homestead of a disabled or elderly person that is constructed under the federal community development block grant program or a housing rehabilitation program of the Texas Department of Housing and Community Affairs and that replaces the person's former residence homestead.), **As Introduced**

**No fiscal implication to the State is anticipated, other than the cost of publication.**

The cost to the state for publication of the resolution is \$90,882.

The resolution would propose a constitutional amendment to Article VIII of the Texas Constitution to authorize the Legislature to establish a property tax ceiling for disabled persons or persons 65 or older who own a residential homestead constructed under certain federal and state programs on land that previously qualified as part of a residence homestead. The tax ceiling will not exceed the amount of taxes imposed on the former residence homestead.

The resolution also proposes including these tax ceilings in calculations necessary to determine effective tax rates of units of local government and as deductions from taxable value used in school funding formulas.

Adoption of the proposed constitutional amendment alone would have no fiscal impact on the state or units of local government. Any fiscal impact would depend on the corresponding enabling legislation.

The proposed amendment would be submitted to voters at an election to be held November 3, 2009.

**Local Government Impact**

The proposed constitutional amendment alone would have no fiscal implication to units of local government. Any fiscal implication would be attributable to the corresponding enabling legislation.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, MN, SD, SJS