

BILL ANALYSIS

H.B. 717
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Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, five members sit on the board of directors of certain appraisal districts. These directors are appointed by the taxing units that participate in the district. H.B. 717 seeks to increase the number of directors for such appraisal districts by adding two members elected by the citizens of the county in which the district is established in an effort to provide a greater degree of voter accountability to the board and to set out requirements for elected members and provisions concerning the election process and vacancy contingencies.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 717 amends the Tax Code to increase from five to seven the number of directors on an appraisal district's board of directors and to provide that the additional two directors are elected at the general election for state and county officers by the voters of the county in which the district is established. The bill requires an individual, in order to be eligible to be elected to the board, to be a resident of the county in which the district is established. The bill provides that the term of a director elected at a general election begins on January 1 of odd-numbered years. The bill requires the board of directors, if a vacancy occurs in an elective position on the board, to appoint by majority vote of its members a person to fill the vacancy and requires such a person to have the qualifications required of a director elected at a general election.

H.B. 717 changes dates and deadlines relating to changes in board membership. The bill makes a change in the method or procedure for selecting members appointed by the taxing units effective on the date the chief appraiser notifies the taxing units of the change and makes an increase in the number of board members effective on January 1 of the first year after the date the chief appraiser notifies the taxing units of the increase. The bill requires at least one-half of the number of new members to be elected if the number of board members is increased and authorizes the board, by majority vote of its members, to increase the number of members to be elected to more than one-half of the number of new members.

H.B. 717 makes Election Code provisions relating to a candidate for office of a political subdivision other than a county or city applicable to a candidate for an elective position on an appraisal district board of directors. The bill requires an application for a place on the ballot to be filed with the county judge of the county in which the appraisal district is established and to be accompanied by a filing fee of \$750 for a county with a population of less than 200,000 or \$1,250 for a county with a population of 200,000 or more. The bill authorizes a candidate's name to appear on the ballot only as an independent candidate and requires the filing fee to be deposited in the county treasury to the credit of the county general fund.

H.B. 717 makes ineligible a candidate for the board of directors of an appraisal district if the

candidate or a business entity in which the candidate has a substantial interest is a party to a contract with the appraisal district, or a taxing unit that participates in the appraisal district, if the contract relates to the performance of an activity governed by the Property Tax Code.

H.B. 717 amends the Election Code to require the secretary of state to prescribe procedures for listing the office of appraisal district director on the ballot and makes this provision effective September 1, 2011.

H.B. 717 requires the appropriate number of appraisal district directors holding elective positions to be elected as provided by the bill beginning with the general election for state and county officers conducted in 2012 and provides that a member then elected takes office January 1, 2013. The bill provides that a director of an appraisal district with staggered terms who is appointed to a term that begins on January 1, 2013, serves a one-year term. The bill makes these provisions effective September 1, 2011.

H.B. 717 makes conforming changes to reflect the additional elective members on an appraisal district board of directors and makes nonsubstantive changes.

H.B. 717 repeals Sections 6.034 and 6.10, Tax Code, relating to optional staggered terms for an appraisal district board of directors and disapproval of board actions.

EFFECTIVE DATE

Except as otherwise provided, January 1, 2013.