

BILL ANALYSIS

Senate Research Center
82R1602 SMH-D

S.J.R. 21
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Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a disabled veteran who receives from the United States Department of Veterans Affairs or its successor 100 percent disability compensation due to a service-connected disability of 100 percent disabled or of individual unemployability is entitled to an exemption from taxation of the total appraised value of the veteran's residence homestead. In some instances, the spouses of disabled veterans forgo career opportunities and work reduced hours to care for the disabled spouse affecting their income and retirement.

S.J.R. 21 would grant this tax exemption to the surviving spouse of the 100 percent disabled veteran who qualified for the exemption. The surviving spouse will retain the exemption until the surviving spouse remarries.

As proposed, S.J.R. 21 proposes a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran in an amount equal to the amount of the residence homestead exemption to which the disabled veteran was entitled.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1-b, Article VIII, Texas Constitution, by adding Subsection (j), as follows:

(j) Authorizes the legislature by general law to provide that the surviving spouse of a 100 percent or totally disabled veteran who qualified for an exemption in accordance with Subsection (i) (relating to an ad valorem tax exemption for certain disabled veterans) of this section when the disabled veteran died is entitled to an exemption for the residence homestead of the surviving spouse in an amount equal to the amount of the exemption received by the disabled veteran on the residence homestead of the disabled veteran if the surviving spouse has not remarried since the death of the disabled veteran.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 82nd Legislature, Regular Session, 2011, authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran in an amount equal to the amount of the residence homestead exemption to which the disabled veteran was entitled.

(b) Provides that Section 1-b(j), Article VIII, of this constitution takes effect January 1, 2012, and applies only to a tax year beginning on or after that date.

(c) Provides that this temporary provision expires January 1, 2013.

SECTION 3. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held November 8, 2011. Sets forth the required language on the ballot.