

By: Callegari

H.B. No. 469

A BILL TO BE ENTITLED

AN ACT

relating to the calculation of ad valorem taxes on the residence homestead of a 100 percent or totally disabled veteran for the tax year in which the veteran qualifies or ceases to qualify for an exemption from taxation of the homestead.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.42(c), Tax Code, is amended to read as follows:

(c) An exemption authorized by Section 11.13(c) or (d) or 11.131 is effective as of January 1 of the tax year in which the person qualifies for the exemption and applies to the entire tax year.

SECTION 2. Section 26.10(b), Tax Code, is amended to read as follows:

(b) If the appraisal roll shows that a residence homestead exemption authorized by Section 11.13(c) or (d) or 11.131 [~~for an individual 65 years of age or older or a residence homestead exemption for a disabled individual~~] applicable to a property on January 1 of a year terminated during the year and if the owner of the property qualifies a different property for one of those residence homestead exemptions during the same year, the tax due against the former residence homestead is calculated by:

(1) subtracting:

(A) the amount of the taxes that otherwise would

1 be imposed on the former residence homestead for the entire year had
2 the owner [~~individual~~] qualified for the residence homestead
3 exemption for the entire year; from

4 (B) the amount of the taxes that otherwise would
5 be imposed on the former residence homestead for the entire year had
6 the owner [~~individual~~] not qualified for the residence homestead
7 exemption during the year;

8 (2) multiplying the remainder determined under
9 Subdivision (1) by a fraction, the denominator of which is 365 and
10 the numerator of which is the number of days that elapsed after the
11 date the exemption terminated; and

12 (3) adding the product determined under Subdivision
13 (2) and the amount described by Subdivision (1)(A).

14 SECTION 3. Section 26.112, Tax Code, is amended to read as
15 follows:

16 Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF
17 ELDERLY OR DISABLED PERSON. (a) Except as provided by Section
18 26.10(b), if at any time during a tax year property is owned by an
19 individual who qualifies for an exemption under Section 11.13(c) or
20 (d) or 11.131, the amount of the tax due on the property for the tax
21 year is calculated as if the individual [~~person~~] qualified for the
22 exemption on January 1 and continued to qualify for the exemption
23 for the remainder of the tax year.

24 (b) If an individual [~~a person~~] qualifies for an exemption
25 under Section 11.13(c) or (d) or 11.131 with respect to the property
26 after the amount of the tax due on the property is calculated and
27 the effect of the qualification is to reduce the amount of the tax

1 due on the property, the assessor for each taxing unit shall
2 recalculate the amount of the tax due on the property and correct
3 the tax roll. If the tax bill has been mailed and the tax on the
4 property has not been paid, the assessor shall mail a corrected tax
5 bill to the person in whose name the property is listed on the tax
6 roll or to the person's authorized agent. If the tax on the
7 property has been paid, the tax collector for the taxing unit shall
8 refund to the person who paid the tax the amount by which the
9 payment exceeded the tax due.

10 SECTION 4. This Act applies only to an ad valorem tax year
11 that begins on or after the effective date of this Act.

12 SECTION 5. This Act takes effect January 1, 2012.