

By: Villarreal

H.B. No. 1287

A BILL TO BE ENTITLED

1 AN ACT
2 relating to refunds of ad valorem taxes made following the final
3 determination of an appeal that decreases a property owner's tax
4 liability.

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

6 SECTION 1. Sections 42.43(b) and (h), Tax Code, are amended
7 to read as follows:

8 (b) For a refund made under this section because an
9 exemption under Section 11.20 that was denied by the chief
10 appraiser or appraisal review board is granted, the taxing unit
11 shall include with the refund interest on the amount refunded
12 calculated at an annual rate that is equal to the auction average
13 rate quoted on a bank discount basis for three-month treasury bills
14 issued by the United States government, as published by the Federal
15 Reserve Board, for the week in which the taxes became delinquent,
16 but not more than 10 percent, calculated from the delinquency date
17 for the taxes until the date the refund is made. For any other
18 refund made under this section, the taxing unit shall include with
19 the refund interest on the amount refunded at an annual rate that is
20 equal to the auction average rate quoted on a bank discount basis
21 for three-month treasury bills issued by the United States
22 government, as published by the Federal Reserve Board, for the week
23 in which the taxes became delinquent, but not more than ~~of~~ eight
24 percent, calculated from the delinquency date for the taxes until

1 the date the refund is made.

2 (h) A separate form must be filed with a taxing unit under
3 Subsection (g) for each appeal to which the property owner is a
4 party. A form may be [~~remains in effect for all subsequent refunds~~
5 ~~required by this section until~~] revoked in a written revocation
6 filed with the taxing unit by the property owner.

7 SECTION 2. The changes in law made by this Act apply only to
8 a refund of ad valorem taxes required by Section 42.43, Tax Code, on
9 or after the effective date of this Act. A refund required under
10 that section before the effective date of this Act is governed by
11 the law in effect when the refund was required, and the former law
12 is continued in effect for that purpose.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2011.