

By: Flynn

H.B. No. 1692

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal of complaints against property tax professionals.

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

SECTION 1. Section 1151.204, Occupations Code, is amended to read as follows:

Sec. 1151.204. DISMISSAL OF COMPLAINTS [~~COMPLAINT RELATING TO APPRAISED VALUE~~]. (a) After investigation, the department may dismiss a complaint without conducting a hearing if [+

~~(1)] the complaint [challenges only the appraised value of a property or another matter for which Title I, Tax Code, specifies a remedy and] does not credibly allege a violation of this chapter or the standards established by the commission for registrants under this chapter[+, and~~

~~(2) the disagreement has not been resolved in the complainant's favor by an appraisal review board or court].~~

(b) After investigation, the department shall dismiss a complaint without conducting a hearing if:

(1) the complaint challenges only the imposition of or failure to waive penalties or interest under Sections 33.01 and 33.011, Tax Code, or the appraised value of a property; and

(2) the disagreement has not been resolved in the complainant's favor by settlement or waiver or by an appraisal review board, governing body, arbitrator, or court.

1           SECTION 2. The change in law made by this Act to Section  
2 1151.204, Occupations Code, applies only to a complaint filed on or  
3 after the effective date of this Act. A complaint filed before that  
4 date is governed by the law in effect on the date the complaint was  
5 filed, and the former law is continued in effect for that purpose.

6           SECTION 3. This Act takes effect September 1, 2011.