

AN ACT

relating to tax administration of and procedures for property tax protests and appeals; changing the elements of an offense.

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

SECTION 1. Section 1.111(j), Tax Code, is amended to read as follows:

(j) An individual exempt from registration as a property tax consultant under Section 1152.002, Occupations Code, who is not supervised, directed, or compensated by a person required to register as a property tax consultant under that chapter and who files a protest with the appraisal review board on behalf of the property owner is entitled to receive all notices from the appraisal district and appraisal review board regarding the property subject to the protest until the authority is revoked by the property owner as provided by this section. An individual to which this subsection applies who is not designated by the property owner to receive notices, tax bills, orders, and other communications as provided by Subsection (f) or Section 1.11 shall file a statement with the protest that includes:

(1) the individual's name and address;

(2) a statement that the individual is acting on behalf of the property owner; and

(3) a statement of the basis for the individual's exemption from registration under Section 1152.002, Occupations

1 Code.

2 SECTION 2. Section 5.041, Tax Code, is amended by amending
3 Subsections (c), (e-1), and (e-3) and adding Subsections (g) and
4 (h) to read as follows:

5 (c) The comptroller may contract with service providers to
6 assist with the duties imposed under Subsection (a), but the course
7 required may not be provided by an appraisal district, the chief
8 appraiser or another employee of an appraisal district, a member of
9 the board of directors of an appraisal district, a member of an
10 appraisal review board, or a taxing unit. The comptroller may
11 assess a fee to recover a portion of the costs incurred for the
12 training course, but the fee may not exceed \$50 per person trained.

13 (e-1) In addition to the course established under
14 Subsection (a), the comptroller shall approve curricula and provide
15 materials for use in a continuing education course for members of an
16 appraisal review board. The curricula and materials must include
17 information regarding:

18 (1) the cost, income, and market data comparison
19 methods of appraising property;

20 (2) the appraisal of business personal property;

21 (3) the determination of capitalization rates for
22 property appraisal purposes;

23 (4) the duties of an appraisal review board;

24 (5) the requirements regarding the independence of an
25 appraisal review board from the board of directors and the chief
26 appraiser and other employees of the appraisal district;

27 (6) the prohibitions against ex parte communications

1 applicable to appraisal review board members;

2 (7) the Uniform Standards of Professional Appraisal
3 Practice;

4 (8) the duty of the appraisal district to substantiate
5 the district's determination of the value of property;

6 (9) the requirements regarding the equal and uniform
7 appraisal of property;

8 (10) the right of a property owner to protest the
9 appraisal of the property as provided by Chapter 41; and

10 (11) a detailed explanation of each of the actions
11 described by Sections 25.25, 41.41(a), 41.411, 41.412, 41.413,
12 41.42, and 41.43 so that members are fully aware of each of the
13 grounds on which a property appraisal can be appealed.

14 (e-3) The comptroller may contract with service providers
15 to assist with the duties imposed under Subsection (e-1), but the
16 course required by that subsection may not be provided by an
17 appraisal district, the chief appraiser or another employee of an
18 appraisal district, a member of the board of directors of an
19 appraisal district, a member of an appraisal review board, or a
20 taxing unit. The comptroller may assess a fee to recover a portion
21 of the costs incurred for the continuing education course, but the
22 fee may not exceed \$50 for each person trained.

23 (g) Except during a hearing or other appraisal review board
24 proceeding and as provided by Subsection (h) and Section
25 6.411(c-1), the following persons may not communicate with a member
26 of an appraisal review board about a course provided under this
27 section or any matter presented or discussed during the course:

1 (1) the chief appraiser of the appraisal district for
2 which the appraisal review board is established;

3 (2) another employee of the appraisal district for
4 which the appraisal review board is established;

5 (3) a member of the board of directors of the appraisal
6 district for which the appraisal review board is established;

7 (4) an officer or employee of a taxing unit that
8 participates in the appraisal district for which the appraisal
9 review board is established; and

10 (5) an attorney who represents or whose law firm
11 represents the appraisal district or a taxing unit that
12 participates in the appraisal district for which the appraisal
13 review board is established.

14 (h) An appraisal review board may retain an appraiser
15 certified by the Texas Appraiser Licensing and Certification Board
16 to instruct the members of the appraisal review board on valuation
17 methodology if the appraisal district provides for the instruction
18 in the district's budget.

19 SECTION 3. Sections 6.411(a), (b), and (c-1), Tax Code, are
20 amended to read as follows:

21 (a) A member of an appraisal review board commits an offense
22 if the member communicates with the chief appraiser or another
23 employee or a member of the board of directors of the appraisal
24 district for which the appraisal review board is established in
25 violation of Section 41.66(f).

26 (b) A chief appraiser or another employee of an appraisal
27 district, a member of a board of directors of an appraisal district,

1 or a property tax consultant or attorney representing a party to a
 2 proceeding before the appraisal review board commits an offense if
 3 the person [~~chief appraiser or other employee~~] communicates with a
 4 member of the appraisal review board established for the appraisal
 5 district with the intent to influence a decision by the member in
 6 the member's capacity as a member of the appraisal review board [~~in~~
 7 ~~a circumstance in which the appraisal review board member is~~
 8 ~~prohibited by Section 41.66(f) from communicating with the chief~~
 9 ~~appraiser or other employee~~].

10 (c-1) This section does not apply to communications
 11 involving the chief appraiser or another employee or a member of the
 12 board of directors of an appraisal district and a member of the
 13 appraisal review board:

14 (1) during a hearing on a protest or other proceeding
 15 before the appraisal review board;

16 (2) that constitute social conversation;

17 (3) that are specifically limited to and involve
 18 administrative, clerical, or logistical matters related to the
 19 scheduling and operation of hearings, the processing of documents,
 20 the issuance of orders, notices, and subpoenas, and the operation,
 21 appointment, composition, or attendance at training of the
 22 appraisal review board; or

23 (4) that are necessary and appropriate to enable the
 24 board of directors of the appraisal district to determine whether
 25 to appoint, reappoint, or remove a person as a member or the
 26 chairman or secretary of the appraisal review board.

27 SECTION 4. Section 6.412(a), Tax Code, is amended to read as

1 follows:

2 (a) An individual is ineligible to serve on an appraisal
3 review board if the individual:

4 (1) is related within the second degree by
5 consanguinity or affinity, as determined under Chapter 573,
6 Government Code, to an individual who is engaged in the business of
7 appraising property for compensation for use in proceedings under
8 this title or of representing property owners for compensation in
9 proceedings under this title in the appraisal district for which
10 the appraisal review board is established; ~~or~~

11 (2) owns property on which delinquent taxes have been
12 owed to a taxing unit for more than 60 days after the date the
13 individual knew or should have known of the delinquency unless:

14 (A) the delinquent taxes and any penalties and
15 interest are being paid under an installment payment agreement
16 under Section 33.02; or

17 (B) a suit to collect the delinquent taxes is
18 deferred or abated under Section 33.06 or 33.065; or

19 (3) is related within the third degree by
20 consanguinity or within the second degree by affinity, as
21 determined under Chapter 573, Government Code, to a member of the
22 appraisal district's board of directors.

23 SECTION 5. Section 6.43, Tax Code, is amended to read as
24 follows:

25 Sec. 6.43. PERSONNEL. (a) The appraisal review board may
26 employ legal counsel as provided by the district budget or use the
27 services of the county attorney ~~[and may use the staff of the~~

1 ~~appraisal office for clerical assistance].~~

2 (b) Except as provided by Subsection (c), an attorney may
3 not serve as legal counsel for the appraisal review board if the
4 attorney or a member of the attorney's law firm has during the year
5 before the date of the appraisal review board's hiring of the
6 attorney represented a property owner who owns property in the
7 appraisal district, a taxing unit that participates in the
8 appraisal district, or the appraisal district in a matter addressed
9 by Section 1.111 or 25.25 of this code, Subtitle F of this title, or
10 Subchapter Z, Chapter 2003, Government Code.

11 (c) The county attorney for the county in which the
12 appraisal district is established may provide legal services to the
13 appraisal review board notwithstanding that the county attorney or
14 an assistant to the county attorney represents or has represented
15 the appraisal district or a taxing unit that participates in the
16 appraisal district in any matter.

17 (d) An attorney who serves as legal counsel for an appraisal
18 review board may not act as an advocate in a hearing or proceeding
19 conducted by the board. The attorney may provide advice to the board
20 or a panel of the board during a hearing or proceeding and shall
21 disclose to the board all legal authority in the controlling
22 jurisdiction known to the attorney to be relevant to the matter and
23 not disclosed by the parties. The attorney shall disclose to the
24 board a material fact that may assist the board or panel in making
25 an informed decision regardless of whether the fact is adverse to
26 the position of a party.

27 (e) An appraisal district may specify in its budget whether

1 the appraisal review board may employ legal counsel or must use the
2 services of the county attorney. If the budget authorizes the board
3 to employ legal counsel, the budget must provide for reasonable
4 compensation to be paid to the attorney serving as legal counsel. An
5 appraisal district may not require the board to employ a specific
6 attorney as legal counsel.

7 (f) The appraisal office may provide clerical assistance to
8 the appraisal review board, including assisting the board with the
9 scheduling and arranging of hearings.

10 SECTION 6. Sections 25.25(c), (e), and (g), Tax Code, are
11 amended to read as follows:

12 (c) The appraisal review board, on motion of the chief
13 appraiser or of a property owner, may direct by written order
14 changes in the appraisal roll for any of the five preceding years to
15 correct:

16 (1) clerical errors that affect a property owner's
17 liability for a tax imposed in that tax year;

18 (2) multiple appraisals of a property in that tax
19 year; ~~or~~

20 (3) the inclusion of property that does not exist in
21 the form or at the location described in the appraisal roll; or

22 (4) an error in which property is shown as owned by a
23 person who did not own the property on January 1 of that tax year.

24 (e) If the chief appraiser and the property owner do not
25 agree to the correction before the 15th day after the date the
26 motion is filed, a party bringing a motion under Subsection (c) or
27 (d) is entitled on request to a hearing on and a determination of

the motion by the appraisal review board. A party bringing a motion under this section must describe the error or errors that the motion is seeking to correct. Not later than 15 days before the date of the hearing, the board shall deliver written notice of the date, time, and place of the hearing to the chief appraiser, the property owner, and the presiding officer of the governing body of each taxing unit in which the property is located. The chief appraiser, the property owner, and each taxing unit are entitled to present evidence and argument at the hearing and to receive written notice of the board's determination of the motion. A property owner who files the motion must comply with the payment requirements of Section 25.26 [~~42.08~~] or forfeit the right to a final determination of the motion.

(g) Within 60 [~~45~~] days after receiving notice of the appraisal review board's determination of a motion under this section or of a determination of the appraisal review board that the property owner has forfeited the right to a final determination of a motion under this section for failing to comply with the prepayment requirements of Section 25.26, the property owner or the chief appraiser may file suit to compel the board to order a change in the appraisal roll as required by this section.

SECTION 7. Chapter 25, Tax Code, is amended by adding Section 25.26 to read as follows:

Sec. 25.26. FORFEITURE OF REMEDY FOR NONPAYMENT OF TAXES.

(a) The pendency of a motion filed under Section 25.25 does not affect the delinquency date for the taxes on the property that is the subject of the motion. However, that delinquency date applies only to the amount of taxes required to be paid under Subsection

1 (b). If the property owner complies with Subsection (b), the
2 delinquency date for any additional amount of taxes due on the
3 property is determined in the manner provided by Section 42.42(c)
4 for the determination of the delinquency date for additional taxes
5 finally determined to be due in an appeal under Chapter 42, and that
6 additional amount is not delinquent before that date.

7 (b) Except as provided by Subsection (d), a property owner
8 who files a motion under Section 25.25 must pay the amount of taxes
9 due on the portion of the taxable value of the property that is the
10 subject of the motion that is not in dispute before the delinquency
11 date or the property owner forfeits the right to proceed to a final
12 determination of the motion.

13 (c) A property owner who pays an amount of taxes greater
14 than that required by Subsection (b) does not forfeit the property
15 owner's right to a final determination of the motion by making the
16 payment. If the property owner files a timely motion under Section
17 25.25, taxes paid on the property are considered paid under
18 protest, even if paid before the motion is filed.

19 (d) After filing an oath of inability to pay the taxes at
20 issue, a property owner may be excused from the requirement of
21 prepayment of tax as a prerequisite to the determination of a motion
22 if the appraisal review board, after notice and hearing, finds that
23 such prepayment would constitute an unreasonable restraint on the
24 property owner's right of access to the board. On the motion of a
25 party, the board shall determine compliance with this section in
26 the same manner and by the same procedure as provided by Section
27 41.4115(d) and may set such terms and conditions on any grant of

1 relief as may be reasonably required by the circumstances.

2 SECTION 8. Section 41.411(c), Tax Code, is amended to read
3 as follows:

4 (c) A property owner who protests as provided by this
5 section must comply with the payment requirements of Section
6 41.4115 ~~[42.08]~~ or the property owner forfeits the property owner's
7 right to a final determination of the protest. ~~[The delinquency~~
8 ~~date for purposes of Section 42.08(b) for the taxes on the property~~
9 ~~subject to a protest under this section is postponed to the 125th~~
10 ~~day after the date that one or more taxing units first delivered~~
11 ~~written notice of the taxes due on the property, as determined by~~
12 ~~the appraisal review board at a hearing under Section 41.44(c-3).]~~

13 SECTION 9. Subchapter C, Chapter 41, Tax Code, is amended by
14 adding Section 41.4115 to read as follows:

15 Sec. 41.4115. FORFEITURE OF REMEDY FOR NONPAYMENT OF TAXES.

16 (a) The pendency of a protest under Section 41.411 does not affect
17 the delinquency date for the taxes on the property subject to the
18 protest. However, that delinquency date applies only to the amount
19 of taxes required to be paid under Subsection (b) and, for purposes
20 of Subsection (b), that delinquency date is postponed to the 125th
21 day after the date one or more taxing units first delivered written
22 notice of the taxes due on the property, as determined by the
23 appraisal review board at a hearing under Section 41.44(c-3). If
24 the property owner complies with Subsection (b), the delinquency
25 date for any additional amount of taxes due on the property is
26 determined in the manner provided by Section 42.42(c) for the
27 determination of the delinquency date for additional taxes finally

1 determined to be due in an appeal under Chapter 42, and that
2 additional amount is not delinquent before that date.

3 (b) Except as provided in Subsection (d), a property owner
4 who files a protest under Section 41.411 must pay the amount of
5 taxes due on the portion of the taxable value of the property
6 subject to the protest that is not in dispute before the delinquency
7 date or the property owner forfeits the right to proceed to a final
8 determination of the protest.

9 (c) A property owner who pays an amount of taxes greater
10 than that required by Subsection (b) does not forfeit the property
11 owner's right to a final determination of the protest by making the
12 payment. If the property owner files a timely protest under Section
13 41.411, taxes paid on the property are considered paid under
14 protest, even if paid before the protest is filed.

15 (d) After filing an oath of inability to pay the taxes at
16 issue, a property owner may be excused from the requirement of
17 prepayment of tax as a prerequisite to the determination of a
18 protest if the appraisal review board, after notice and hearing,
19 finds that such prepayment would constitute an unreasonable
20 restraint on the property owner's right of access to the board. On
21 the motion of a party, the board shall hold a hearing to review and
22 determine compliance with this section, and the reviewing board may
23 set such terms and conditions on any grant of relief as may be
24 reasonably required by the circumstances. If the board determines
25 that the property owner has not substantially complied with this
26 section, the board shall dismiss the pending protest. If the board
27 determines that the property owner has substantially but not fully

1 complied with this section, the board shall dismiss the pending
2 protest unless the property owner fully complies with the board's
3 determination within 30 days of the determination.

4 SECTION 10. Section 41.44, Tax Code, is amended by adding
5 Subsection (e) to read as follows:

6 (e) Notwithstanding any other provision of this section, a
7 notice of protest may not be found to be untimely or insufficient
8 based on a finding of incorrect ownership if the notice:

9 (1) identifies as the property owner a person who is,
10 for the tax year at issue:

11 (A) an owner of the property at any time during
12 the tax year;

13 (B) the person shown on the appraisal records as
14 the owner of the property, if that person filed the protest;

15 (C) a lessee authorized to file a protest; or

16 (D) an affiliate of or entity related to a person
17 described by this subdivision; or

18 (2) uses a misnomer of a person described by
19 Subdivision (1).

20 SECTION 11. Section 41.45(e-1), Tax Code, is amended to
21 read as follows:

22 (e-1) A property owner or a person ~~[who has not]~~ designated
23 by the property owner as the owner's ~~[an]~~ agent under Section 1.111
24 to represent the owner at the hearing ~~[and]~~ who fails to appear at
25 the hearing is entitled to a new hearing if the property owner or
26 the owner's agent files, not later than the fourth day after the
27 date the hearing occurred, a written statement with the appraisal

1 review board showing good cause for the failure to appear and
2 requesting a new hearing.

3 SECTION 12. Section 41.47, Tax Code, is amended by adding
4 Subsection (c) to read as follows:

5 (c) If the protest is of the determination of the appraised
6 value of the owner's property, the appraisal review board must
7 state in the order the appraised value of the property:

8 (1) as shown in the appraisal records submitted to the
9 board by the chief appraiser under Section 25.22 or 25.23; and

10 (2) as finally determined by the board.

11 SECTION 13. Section 42.01, Tax Code, is amended to read as
12 follows:

13 Sec. 42.01. RIGHT OF APPEAL BY PROPERTY OWNER. (a) A
14 property owner is entitled to appeal:

15 (1) an order of the appraisal review board
16 determining:

17 (A) a protest by the property owner as provided
18 by Subchapter C of Chapter 41; ~~[or]~~

19 (B) a determination of an appraisal review board
20 on a motion filed under Section 25.25; or

21 (C) a determination of an appraisal review board
22 that the property owner has forfeited the right to a final
23 determination of a motion filed under Section 25.25 or of a protest
24 under Section 41.411 for failing to comply with the prepayment
25 requirements of Section 25.26 or 41.4115, as applicable; or

26 (2) an order of the comptroller issued as provided by
27 Subchapter B, Chapter 24, apportioning among the counties the

1 appraised value of railroad rolling stock owned by the property
2 owner.

3 (b) A property owner who establishes that the owner did not
4 forfeit the right to a final determination of a motion or of a
5 protest in an appeal under Subsection (a)(1)(C) is entitled to a
6 final determination of the court, as applicable:

7 (1) of the motion filed under Section 25.25; or

8 (2) of the protest under Section 41.411 of the failure
9 of the chief appraiser or appraisal review board to provide or
10 deliver a notice to which the property owner is entitled, and, if
11 failure to provide or deliver the notice is established, of a
12 protest made by the property owner on any other grounds of protest
13 authorized by this title relating to the property to which the
14 notice applies.

15 SECTION 14. Subchapter A, Chapter 42, Tax Code, is amended
16 by adding Section 42.016 to read as follows:

17 Sec. 42.016. INTERVENTION IN APPEAL BY CERTAIN PERSONS. A
18 person is entitled to intervene in an appeal brought under this
19 chapter and the person has standing and the court has jurisdiction
20 in the appeal if the property that is the subject of the appeal was
21 also the subject of a protest hearing and the person:

22 (1) owned the property at any time during the tax year
23 at issue;

24 (2) leased the property at any time during the tax year
25 at issue and the person filed the protest that resulted in the
26 issuance of the order under appeal; or

27 (3) is shown on the appraisal roll as the owner of the

1 property or as a lessee authorized to file a protest and the person
2 filed the protest that resulted in the issuance of the order under
3 appeal.

4 SECTION 15. Section 42.21(b), Tax Code, is amended to read
5 as follows:

6 (b) A petition for review brought under Section 42.02 must
7 be brought against the owner of the property involved in the appeal.
8 A petition for review brought under Section 42.031 must be brought
9 against the appraisal district and against the owner of the
10 property involved in the appeal. A petition for review brought
11 under Subdivision (2) [~~or (3)~~] of Section 42.01 or under Section
12 42.03 must be brought against the comptroller. Any other petition
13 for review under this chapter must be brought against the appraisal
14 district. A petition for review may [~~is~~] not [~~required to~~] be
15 brought against the appraisal review board[, ~~but may be brought~~
16 ~~against the appraisal review board in addition to any other~~
17 ~~required party, if appropriate~~]. An appraisal district may hire an
18 attorney that represents the district to represent the appraisal
19 review board established for the district to file an answer and
20 obtain a dismissal of a suit filed against the appraisal review
21 board in violation of this subsection.

22 SECTION 16. Subchapter B, Chapter 42, Tax Code, is amended
23 by adding Section 42.226 to read as follows:

24 Sec. 42.226. MEDIATION. On motion by a party to an appeal
25 under this chapter, the court shall enter an order requiring the
26 parties to attend mediation. The court may enter an order requiring
27 the parties to attend mediation on its own motion.

SECTION 17. Section 42.23, Tax Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) For purposes of a no-evidence motion for summary judgment filed by a party to an appeal under this chapter, the offer of evidence, including an affidavit or testimony, by any person, including the appraisal district, the property owner, or the owner's agent, that was presented at the hearing on the protest before the appraisal review board constitutes sufficient evidence to deny the motion.

(g) For the sole purpose of admitting expert testimony to determine the value of chemical processing property or utility property in an appeal brought under this chapter and for no other purpose under this title, including the rendition of property under Chapter 22, the property is considered to be personal property.

SECTION 18. Subchapter B, Chapter 42, Tax Code, is amended by adding Section 42.30 to read as follows:

Sec. 42.30. ATTORNEY NOTICE OF CERTAIN ENGAGEMENTS. (a) An attorney who accepts an engagement or compensation from a third party to represent a person in an appeal under this chapter shall provide notice to the person represented:

(1) informing the person that the attorney has been retained by a third party to represent the person;

(2) explaining the attorney's ethical obligations to the person in relation to the third party, including the obligation to ensure that the third party does not interfere with the attorney's independent judgment or the attorney-client relationship;

1 (3) describing the general activities the third party
2 may perform in the appeal;

3 (4) explaining that compensation will be received by
4 the attorney from the third party; and

5 (5) informing the person that the person's consent is
6 required before the attorney may accept compensation from the third
7 party.

8 (b) The attorney shall mail the notice by certified mail to
9 the person represented by the attorney not later than the 30th day
10 after the date the attorney accepts the engagement from the third
11 party.

12 (c) Notwithstanding the other provisions of this section,
13 an engagement complies with this section if each party related to
14 the engagement, including the person represented in the appeal, the
15 third party, and the attorney, enters into an agreement not later
16 than the 30th day after the date of the filing of the appeal by the
17 attorney that contains the information required by Subsection (a).

18 (d) A person may void an engagement that does not comply
19 with this section. An attorney who does not comply with this
20 section may be reported to the Office of Chief Disciplinary Counsel
21 for the State Bar of Texas.

22 SECTION 19. Section 42.43(h), Tax Code, is amended to read
23 as follows:

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

1 filed with the taxing unit by the property owner.

2 SECTION 20. (a) Section 6.411, Tax Code, as amended by
3 this Act, applies only to an offense committed on or after the
4 effective date of this Act. An offense committed before the
5 effective date of this Act is governed by the law in effect on the
6 date the offense was committed, and the former law is continued in
7 effect for that purpose. For purposes of this section, an offense
8 was committed before the effective date of this Act if any element
9 of the offense occurred before that date.

10 (b) Sections 25.25(c), (e), and (g), 25.26, 41.411(c),
11 41.4115, and 42.01, Tax Code, as added or amended by this Act, apply
12 only to a motion to correct an appraisal roll or a protest filed on
13 or after the effective date of this Act. A motion to correct an
14 appraisal roll or a protest filed before the effective date of this
15 Act is governed by the law in effect on the date the motion or
16 protest was filed, and the former law is continued in effect for
17 that purpose.

18 (c) Sections 41.44 and 41.47, Tax Code, as amended by this
19 Act, apply only to a protest that is pending on the effective date
20 of this Act or is filed on or after the effective date of this Act.

21 (d) Sections 42.016, 42.226, and 42.23, Tax Code, as added
22 or amended by this Act, apply only to an appeal that is pending on
23 the effective date of this Act or is filed on or after the effective
24 date of this Act.

25 (e) Section 42.30, Tax Code, as added by this Act, applies
26 only to a violation committed on or after the effective date of this
27 Act. A violation committed before the effective date of this Act is

1 governed by the law in effect when the violation was committed, and
2 the former law is continued in effect for that purpose.

3 SECTION 21. This Act takes effect immediately if it
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this Act takes effect September 1, 2011.

H.B. No. 1887

President of the Senate

Speaker of the House

I certify that H.B. No. 1887 was passed by the House on April 21, 2011, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1887 on May 25, 2011, by the following vote: Yeas 92, Nays 52, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1887 was passed by the Senate, with amendments, on May 20, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor