

By: Davis of Dallas

H.B. No. 2221

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of an administrative law judge of the
3 State Office of Administrative Hearings to award attorney's fees in
4 an appeal of an appraisal review board order determining a protest.

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

6 SECTION 1. Section 2003.912(b), Government Code, is amended
7 to read as follows:

8 (b) The determination:

9 (1) must include a determination of the appraised or
10 market value, as applicable, of the property that is the subject of
11 the appeal;

12 (2) must contain a brief analysis of the
13 administrative law judge's rationale for and set out the key
14 findings in support of the determination but is not required to
15 contain a detailed discussion of the evidence admitted or the
16 contentions of the parties;

17 (3) may include any remedy or relief a court may order
18 under Chapter 42, Tax Code, in an appeal relating to the appraised
19 or market value of property, including ~~[other than]~~ an award of
20 reasonable attorney's fees in an amount that does not exceed the
21 amount specified by ~~[under]~~ Section 42.29, Tax Code; and

22 (4) shall specify whether the appraisal district or
23 the property owner is required to pay the costs of the hearing and
24 the amount of those costs.

1 SECTION 2. The change in law made by this Act applies to an
2 appeal under Subchapter Z, Chapter 2003, Government Code, that is
3 pending on the effective date of this Act or that is filed on or
4 after that date.

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