

By: Eiland

H.B. No. 2696

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the application of the limit on appraised value of a
3 residence homestead for ad valorem tax purposes to an improvement
4 that is a replacement structure for a structure that was rendered
5 uninhabitable or unusable by a casualty or by wind or water damage.

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

7 SECTION 1. Section 23.23, Tax Code, is amended by adding
8 Subsection (g) to read as follows:

9 (g) Notwithstanding Subsection (f)(2), a replacement
10 structure described by that subdivision is not considered to be a
11 new improvement if to satisfy the requirements of a building code,
12 fire code, or other local ordinance or a government assistance
13 program that provided funding for the construction of the
14 replacement structure it was necessary that:

15 (1) the square footage of the replacement structure
16 exceed that of the replaced structure as that structure existed
17 before the casualty or damage occurred; or

18 (2) the exterior of the replacement structure be of
19 higher quality construction and composition than that of the
20 replaced structure.

21 SECTION 2. This Act applies only to the appraisal of a
22 residence homestead for ad valorem tax purposes for a tax year that
23 begins on or after January 1, 2012.

24 SECTION 3. This Act takes effect January 1, 2012.