

By: Eiland

H.B. No. 3457

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the inclusion of a junior college representative on  
3 appraisal boards.

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

5 SECTION 1. Sec. 6.03., Property Code, is amended to read as  
6 follows:

7 BOARD OF DIRECTORS. (a) The appraisal district is governed  
8 by a board of directors. Five directors are appointed by the taxing  
9 units that participate in the district as provided by this section.  
10 If the county assessor-collector is not appointed to the board, the  
11 county assessor-collector serves as a nonvoting director. The  
12 county assessor-collector is ineligible to serve if the board  
13 enters into a contract under Section 6.05(b) or if the  
14 commissioners court of the county enters into a contract under  
15 Section 6.24(b). To be eligible to serve on the board of directors,  
16 an individual other than a county assessor-collector serving as a  
17 nonvoting director must be a resident of the district and must have  
18 resided in the district for at least two years immediately  
19 preceding the date the individual takes office. An individual who  
20 is otherwise eligible to serve on the board is not ineligible  
21 because of membership on the governing body of a taxing unit. An  
22 employee of a taxing unit that participates in the district is not  
23 eligible to serve on the board unless the individual is also a  
24 member of the governing body or an elected official of a taxing unit

1 that participates in the district.

2 (b) Members of the board of directors other than a county  
3 assessor-collector serving as a nonvoting director serve two-year  
4 terms beginning on January 1 of even-numbered years.

5 (c) Members of the board of directors other than a county  
6 assessor-collector serving as a nonvoting director are appointed by  
7 vote of the governing bodies of the incorporated cities and towns,  
8 the school districts, the junior college districts, and, if  
9 entitled to vote, the conservation and reclamation districts that  
10 participate in the district and of the county. A governing body may  
11 cast all its votes for one candidate or distribute them among  
12 candidates for any number of directorships. Conservation and  
13 reclamation districts are not entitled to vote unless at least one  
14 conservation and reclamation district in the district delivers to  
15 the chief appraiser a written request to nominate and vote on the  
16 board of directors by June 1 of each odd-numbered year. On receipt  
17 of a request, the chief appraiser shall certify a list by June 15 of  
18 all eligible conservation and reclamation districts that are  
19 imposing taxes and that participate in the district.

20 (d) The voting entitlement of a taxing unit that is entitled  
21 to vote for directors is determined by dividing the total dollar  
22 amount of property taxes imposed in the district by the taxing unit  
23 for the preceding tax year by the sum of the total dollar amount of  
24 property taxes imposed in the district for that year by each taxing  
25 unit that is entitled to vote, by multiplying the quotient by 1,000,  
26 and by rounding the product to the nearest whole number. That  
27 number is multiplied by the number of directorships to be filled. A

1 taxing unit participating in two or more districts is entitled to  
2 vote in each district in which it participates, but only the taxes  
3 imposed in a district are used to calculate voting entitlement in  
4 that district.

5 (e) The chief appraiser shall calculate the number of votes  
6 to which each taxing unit other than a conservation and reclamation  
7 district is entitled and shall deliver written notice to each of  
8 those units of its voting entitlement before October 1 of each  
9 odd-numbered year. The chief appraiser shall deliver the notice:

10 (1) to the county judge and each commissioner of the  
11 county served by the appraisal district;

12 (2) to the presiding officer of the governing body of  
13 each city or town participating in the appraisal district, to the  
14 city manager of each city or town having a city manager, and to the  
15 city secretary or clerk, if there is one, of each city or town that  
16 does not have a city manager; and

17 (3) to the presiding officer of the governing body of  
18 each school district participating in the district and to the  
19 superintendent of those school districts.

20 (4) to the presiding officer of the governing body of  
21 each junior college district participating in the district and to  
22 the junior college district president or appropriate chief  
23 executive officer.

24 (f) The chief appraiser shall calculate the number of votes  
25 to which each conservation and reclamation district entitled to  
26 vote for district directors is entitled and shall deliver written  
27 notice to the presiding officer of each conservation and

1 reclamation district of its voting entitlement and right to  
2 nominate a person to serve as a director of the district before July  
3 1 of each odd-numbered year.

4 (g) Each taxing unit other than a conservation and  
5 reclamation district that is entitled to vote may nominate by  
6 resolution adopted by its governing body one candidate for each  
7 position to be filled on the board of directors. The presiding  
8 officer of the governing body of the unit shall submit the names of  
9 the unit's nominees to the chief appraiser before October 15.

10 (h) Each conservation and reclamation district entitled to  
11 vote may nominate by resolution adopted by its governing body one  
12 candidate for the district's board of directors. The presiding  
13 officer of the conservation and reclamation district's governing  
14 body shall submit the name of the district's nominee to the chief  
15 appraiser before July 15 of each odd-numbered year. Before August  
16 1, the chief appraiser shall prepare a nominating ballot, listing  
17 all the nominees of conservation and reclamation districts  
18 alphabetically by surname, and shall deliver a copy of the  
19 nominating ballot to the presiding officer of the board of  
20 directors of each district. The board of directors of each district  
21 shall determine its vote by resolution and submit it to the chief  
22 appraiser before August 15. The nominee on the ballot with the most  
23 votes is the nominee of the conservation and reclamation districts  
24 in the appraisal district if the nominee received more than 10  
25 percent of the votes entitled to be cast by all of the conservation  
26 and reclamation districts in the appraisal district, and shall be  
27 named on the ballot with the candidates nominated by the other

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1 taxing units. The chief appraiser shall resolve a tie vote by any  
2 method of chance.

3 SECTION 2. This Act takes effect September 1, 2011.