

By: Lucio

S.B. No. 1384

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the interest rate on a refund of ad valorem taxes made  
3 following the final determination of an appeal that decreases a  
4 property owner's tax liability.

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

6 SECTION 1. Section 42.43(b), Tax Code, is amended to read as  
7 follows:

8 (b) For a refund made under this section because an  
9 exemption under Section 11.20 that was denied by the chief  
10 appraiser or appraisal review board is granted, the taxing unit  
11 shall include with the refund interest on the amount refunded  
12 calculated at an annual rate that is equal to the auction average  
13 rate quoted on a bank discount basis for three-month treasury bills  
14 issued by the United States government, as published by the Federal  
15 Reserve Board, for the week in which the taxes became delinquent,  
16 but not more than 10 percent, calculated from the delinquency date  
17 for the taxes until the date the refund is made. For any other  
18 refund made under this section, the taxing unit shall include with  
19 the refund interest on the amount refunded at an annual rate that is  
20 equal to the annual rate of interest paid by the bank on funds  
21 deposited in the account maintained by the tax collector for the  
22 taxing unit from which refunds are disbursed as of the date on which  
23 the final determination of the appeal is made, but not more than  
24 [~~e~~] eight percent, calculated from the delinquency date for the

1 taxes until the date the refund is made.

2           SECTION 2. The change in law made by this Act applies only  
3 to a refund made under Section 42.43, Tax Code, on or after the  
4 effective date of this Act. A refund made under that section before  
5 the effective date of this Act is governed by the law in effect on  
6 the date the refund was made, and the former law is continued in  
7 effect for that purpose.

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