

Amend HB 2419 (house committee printing) as follows:

(1) On page 1, line 6, strike "Subchapter C,".

(2) On page 1, line 7, strike "Section 41.463" and substitute "Subchapter E".

(3) Strike page 1, line 8, through page 6, line 14, and substitute the following:

SUBCHAPTER E. PILOT PROGRAM: APPOINTMENT OF SPECIAL MAGISTRATES TO
HEAR CERTAIN PROPERTY TAX PROTESTS IN HARRIS COUNTY

Sec. 41.81. APPLICABILITY. This subchapter applies only to
a protest filed under this chapter that relates to property:

(1) with an appraised or market value, whichever is
greater, of at least \$1 million as determined by the appraisal
district; and

(2) that is used in a manner consistent with
commercial use.

Sec. 41.82. APPOINTMENT OF SPECIAL MAGISTRATES; TERMS. (a)
The local administrative district judge and the board of directors
of the appraisal district shall determine the number of special
magistrates necessary to conduct timely hearings on taxpayer
protests to which this subchapter applies. The local
administrative district judge shall appoint the appropriate number
of special magistrates as determined under this subsection.

(b) A special magistrate appointed under this section is not
required to be a resident of the county in which the appraisal
district is located. A person may not serve as a special magistrate
if the person:

(1) would be ineligible to serve as a member of an
appraisal review board under Section 6.412, 6.413, or 41.69;

(2) is a registered property tax consultant under
Chapter 1152, Occupations Code; or

(3) is an elected or appointed official or an employee
of:

(A) the appraisal district;

(B) a taxing unit that participates in the
appraisal district; or

(C) the comptroller.

(c) Except as provided by Section 41.90, special

magistrates are appointed to serve staggered two-year terms, with the terms of as close to one-half of the members as possible expiring December 31 of each year. Special magistrates may serve consecutive terms.

(d) The local administrative district judge shall consult with the chair of the appraisal review board to determine the particular needs of the board when appointing special magistrates under this section. To the extent practicable, the local administrative district judge shall appoint as special magistrates persons who are:

(1) members of the State Bar of Texas who have experience in property tax law to conduct hearings on protests related to exemptions and property classification;

(2) state-licensed real estate appraisers who have at least five years of experience appraising real property to conduct hearings on protests related to real property valuation; and

(3) certified public accountants or members of a nationally recognized appraiser's organization with experience in personal property valuation to conduct hearings on protests related to tangible personal property valuation.

(e) The appointment of a special magistrate under this section must be made on the basis of the magistrate's qualifications and may not be influenced by the chief appraiser.

Sec. 41.83. COMPENSATION. A special magistrate is entitled to a per diem set by the board of directors of the appraisal district for each day the magistrate conducts a hearing on a protest. The per diem shall be paid out of the appraisal district's operating account.

Sec. 41.84. REQUIRED TRAINING. (a) Before conducting a protest hearing under this subchapter, a special magistrate shall complete a training program approved by the comptroller.

(b) The comptroller may require a special magistrate, to satisfy the requirement under Subsection (a), to attend the training provided to members of an appraisal review board.

Sec. 41.85. POWERS OF SPECIAL MAGISTRATE. A special magistrate may conduct a hearing on a protest to which this subchapter applies and in conducting the hearing has the same

powers as an appraisal review board or a panel of the appraisal review board under this chapter.

Sec. 41.86. ASSIGNMENT OF HEARING TO SPECIAL MAGISTRATE.

(a) Notwithstanding Section 41.45(d), the chair of the appraisal review board shall assign special magistrates to conduct hearings on protests to which this subchapter applies.

(b) To the extent practicable, the chair shall assign a hearing to a special magistrate based on the subject of the protest and the magistrate's area of expertise as described by Section 41.82(d).

(c) The chair may not assign a hearing to a special magistrate based on that magistrate's record of recommending determinations favorable to the board.

Sec. 41.87. NOTICE; HEARING; PROCEDURE. (a) The provisions of Subchapters C and D relating to scheduling, notice, and procedures of a protest hearing apply to a hearing conducted by a special magistrate under this subchapter.

(b) On completion of a hearing, the special magistrate hearing a protest shall recommend a determination of the protest to the appraisal review board in writing.

(c) After reviewing the special magistrate's recommendation, the appraisal review board may:

(1) adopt the special magistrate's recommendation; or
(2) subject to Subsection (d), reject the special magistrate's recommendation and:

(A) refer the protest to a different special magistrate for rehearing; or

(B) determine the protest by majority vote at a subsequent meeting of the board.

(d) If the appraisal review board refers a protest under Subsection (c)(2)(A) or determines a protest under Subsection (c)(2)(B), notice of the rehearing or meeting must be provided as provided under Subchapter C.

Sec. 41.88. RESTRICTION ON APPEARANCE BEFORE APPRAISAL REVIEW BOARD. A person may not represent an individual in a hearing on a protest filed under this chapter with an appraisal review board if, during the preceding 12-month period, the person served as a

special magistrate for the board.

Sec. 41.89. EX PARTE COMMUNICATIONS. A special magistrate is considered a member of an appraisal review board for purposes of Sections 6.411 and 41.66(f).

Sec. 41.90. TERMINATION. A person appointed as a special magistrate under this subchapter serves as an independent contractor of the appraisal review board and may be terminated at any time by a vote of a majority of the members of the board.

Sec. 41.91. EFFECTIVE DATE; EXPIRATION. (a) The pilot program shall be implemented in Harris County for a four-year period beginning with the ad valorem tax year that begins January 1, 2014.

(b) This subchapter expires January 1, 2018.

SECTION 2. (a) Beginning September 1, 2013, the local administrative district judge of Harris County shall meet with the board of directors of the Harris County Appraisal District to determine the number of special magistrates necessary to timely conduct hearings on protests to which Subchapter E, Chapter 41, Tax Code, as added by this Act, applies.

(b) Not later than November 1, 2013:

(1) the local administrative district judge shall appoint the required number of special magistrates; and

(2) the comptroller of public accounts shall adopt rules relating to the training required under Section 41.84, Tax Code, as added by this Act.

(c) Notwithstanding Section 41.82(c), Tax Code, as added by this Act, the local administrative district judge, in making the initial appointments of special magistrates under Subsection (b)(1) of this section, shall appoint one-half of the number of special magistrates to serve a one-year term beginning on January 1, 2014, and the other one-half to serve two-year terms beginning January 1, 2014. Subsequent appointees shall serve two-year terms beginning on January 1 of each year.

(4) On page 6, line 15, strike "SECTION 7. This" and substitute "SECTION 3. (a) Except as provided by Subsection (b) of this section, this Act takes effect January 1, 2014.

(b) Section 2 of this".