

## BILL ANALYSIS

C.S.H.B. 3193  
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Ways & Means  
Committee Report (Substituted)

### BACKGROUND AND PURPOSE

Current law allows certain property owners to appeal an appraisal review board order through binding arbitration as an alternative to filing a lawsuit and allows those property owners to choose between a full arbitration process and an expedited arbitration process. Interested parties contend that, as a result of expedited arbitration at a reduced rate, the available pool of qualified arbitrators has declined dramatically while the total number of arbitrations has increased dramatically. C.S.H.B. 3193 seeks to ensure that quality arbitrators are available for binding arbitration in the future.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### ANALYSIS

C.S.H.B. 3193 repeals Section 41A.031, Tax Code, providing for an expedited arbitration of a property owner's appeal of an appraisal review board order determining a protest concerning the appraised or market value of the owner's property.

### EFFECTIVE DATE

January 1, 2014.

### COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3193 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Section 41A.01, Tax Code, is amended to read as follows:

(a) To appeal an appraisal review board order under this chapter, a property owner must file with the appraisal district not later than the 45th day after the date the property owner receives notice of the order:

- (1) a completed request for binding arbitration under this chapter in the form prescribed by Section 41A.04; and
- (2) an arbitration deposit made payable to

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 41A.03(a), Tax Code, is amended to read as follows:

(a) To appeal an appraisal review board order under this chapter, a property owner must file with the appraisal district not later than the 45th day after the date the property owner receives notice of the order:

- (1) a completed request for binding arbitration under this chapter in the form prescribed by Section 41A.04; and
- (2) an arbitration deposit made payable to

the comptroller in the amount of[:]  
[(A)] \$500 [;or  
[(B)] \$250, if the property owner requests expedited arbitration under Section 41A.031].

SECTION 2. Section 41A.031 is repealed.

SECTION 3. The change in law made by this Act is a procedural change to existing law and is applicable to any proceedings pending or not finalized as of the effective date of this bill.

No equivalent provision.

SECTION 4. This Act takes on January 1, 2014.

the comptroller in the amount of[:]  
[(A)] \$500[;or  
[(B)] \$250, if the property owner requests expedited arbitration under Section 41A.031].

SECTION 2. Section 41A.031, Tax Code, is repealed.

No equivalent provision.

SECTION 3. The change in law made by this Act does not apply to an appeal of an appraisal review board order for which a request is filed and a deposit is paid before the effective date of this Act. An appeal of an appraisal review board order for which a request is filed and a deposit is paid before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 4. Same as introduced version.