

BILL ANALYSIS

S.J.R. 32
By: Paxton
Ways & Means
Committee Report (Amended)

BACKGROUND AND PURPOSE

The Texas Constitution establishes a freeze on the amount of school district property taxes imposed on the residence homestead of a disabled or elderly homeowner and authorizes a county, city, or junior college district to establish a similar freeze on the amount of property taxes that such taxing units impose on the residence homestead of a disabled or elderly homeowner. Interested parties note that there are many special purpose districts that levy property taxes but are not constitutionally authorized to offer a property tax freeze applicable to the residence homestead of a disabled or elderly homeowner. S.J.R. 32 seeks to address this issue.

RULEMAKING AUTHORITY

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

ANALYSIS

S.J.R. 32 proposes an amendment to the Texas Constitution to authorize a political subdivision of Texas other than a school district, rather than a county, city or town, or junior college district, to establish a freeze on the total amount of property taxes that may be imposed by such a taxing unit on the residence homestead of certain persons who are disabled or 65 years of age or older. The resolution makes applicable to a political subdivision of Texas other than a school district, rather than a county, a city or town, or a junior college district, provisions regarding the eligibility of such a person's surviving spouse to such a freeze on the same homestead, provisions regarding the transfer of all or part of such a freeze to a subsequently qualified homestead, and certain other property tax freeze-related provisions. The resolution adds a temporary provision, set to expire January 1, 2015, to make the amendment proposed by the resolution effective January 1, 2014.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 5, 2013.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1

Committee Amendment No. 1 authorizes districts or authorities created under certain constitutional provisions to include in a written agreement regarding the development or financing of district or authority facilities or improvements a provision that states that the district or authority will not establish a property tax freeze under constitutional provisions amended by the resolution.