

By: Bonnen of Galveston

H.B. No. 1059

A BILL TO BE ENTITLED

AN ACT

relating to installment payments of the ad valorem taxes imposed on the residence homesteads of certain individuals.

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

SECTION 1. Section 31.031, Tax Code, is amended by amending Subsections (a-1), (b), (c), and (d) and adding Subsection (a-2) to read as follows:

(a-1) An ~~[If before the delinquency date an]~~ individual to whom this section applies may pay ~~[pays at least one-fourth of]~~ a taxing unit's taxes imposed on property that the person owns and occupies as a residence homestead in four equal installments without penalty or interest if the first installment is paid before the delinquency date and is<sup>[7]</sup> accompanied by notice to the taxing unit that the person will pay the remaining taxes in three equal installments~~[, the person may pay the remaining taxes without penalty or interest in three equal installments]~~. The second ~~[first]~~ installment must be paid before April 1, the third ~~[second]~~ installment before June 1, and the fourth ~~[third]~~ installment before August 1.

(a-2) Notwithstanding the deadline prescribed by Subsection (a-1) for payment of the first installment, an individual to whom this section applies may pay the taxes in four equal installments as provided by Subsection (a-1) if the first installment is paid and the required notice is provided not later than March 1.

1           (b) If the individual fails to make a payment, including the  
2 first payment, before the applicable date provided by Subsection  
3 (a-1) [~~(a)~~], the unpaid amount is delinquent and incurs a penalty of  
4 six percent and interest as provided by Section 33.01(c). The  
5 penalty provided by Section 33.01(a) does not apply to the unpaid  
6 amount.

7           (c) An individual may pay more than the amount due for each  
8 installment and the amount in excess of the amount due shall be  
9 credited to the next installment. An individual may not pay less  
10 than the total amount due for each installment unless the collector  
11 provides for the acceptance of partial payments under this section.  
12 If the collector accepts a partial payment, penalties and interest  
13 are incurred only by the amount of each installment that remains  
14 unpaid on the applicable date provided by Subsection (a-1) [~~(a)~~].

15           (d) If the delinquency date for taxes to which this section  
16 applies is postponed to May 1 or a later date, the collector shall  
17 extend each installment deadline provided by Subsection (a-1) [~~(a)~~]  
18 by the number of months that the delinquency date was postponed.

19           SECTION 2. This Act applies only to ad valorem taxes imposed  
20 for a tax year beginning on or after the effective date of this Act.

21           SECTION 3. This Act takes effect September 1, 2013.