

By: Nevarez

H.B. No. 1110

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 to read as follows:

Sec. 31.031. INSTALLMENT PAYMENTS OF CERTAIN HOMESTEAD TAXES. (a) This section applies only to:

(1) an individual who is:

(A) disabled or at least 65 years of age; and

(B) qualified for an exemption under Section 11.13(c); or

(2) an individual who is[+]

~~[(A) the unmarried surviving spouse of a disabled veteran; and~~

~~[(B)]~~ qualified for an exemption under Section 11.22.

(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~~[7]~~ accompanied by notice to the taxing unit that the person will pay the remaining taxes in three equal

1 installments[, ~~the person may pay the remaining taxes without~~  
2 ~~penalty or interest in three equal installments~~]. The second  
3 ~~[first]~~ installment must be paid before April 1, the third ~~[second]~~  
4 installment before June 1, and the fourth ~~[third]~~ installment  
5 before August 1.

6 (a-2) Notwithstanding the deadline prescribed by Subsection  
7 (a-1) for payment of the first installment, an individual to whom  
8 this section applies may pay the taxes in four equal installments as  
9 provided by Subsection (a-1) if the first installment is paid and  
10 the required notice is provided not later than the 30th day after  
11 the delinquency date.

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

18 (c) An individual may pay more than the amount due for each  
19 installment and the amount in excess of the amount due shall be  
20 credited to the next installment. An individual may not pay less  
21 than the total amount due for each installment unless the collector  
22 provides for the acceptance of partial payments under this section.  
23 If the collector accepts a partial payment, penalties and interest  
24 are incurred only by the amount of each installment that remains  
25 unpaid on the applicable date provided by Subsection (a-1) ~~[(a)]~~.

26 (d) If the delinquency date for taxes to which this section  
27 applies is postponed to May 1 or a later date, the collector shall

1 extend each installment deadline provided by Subsection (a-1) [~~(a)~~]  
2 by the number of months that the delinquency date was postponed.

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

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