

By: Hilderbran

H.B. No. 2224

Substitute the following for H.B. No. 2224:

By: Hilderbran

C.S.H.B. No. 2224

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications of the chief appraiser of an appraisal district.

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

SECTION 1. Section 1151.1581, Occupations Code, is amended by adding Subsection (f) to read as follows:

(f) As part of the continuing education requirements for a registered professional appraiser who is the chief appraiser of an appraisal district, the commission by rule shall require the registrant to complete:

(1) at least half of the required hours in a program devoted to one or more of the topics listed in Section 1151.164(b); and

(2) at least two of the required hours in a program of professional ethics specific to the chief appraiser of an appraisal district, including a program on the importance of maintaining the independence of an appraisal office from political pressure.

SECTION 2. Sections 6.05(c) and (d), Tax Code, are amended to read as follows:

(c) The chief appraiser is the chief administrator of the appraisal office. Except as provided by Section 6.0501, the [The] chief appraiser is appointed by and serves at the pleasure of the appraisal district board of directors. If a taxing unit performs the duties of the appraisal office pursuant to a contract, the

1 assessor for the unit is the chief appraiser. To be eligible to be
2 appointed or serve as a chief appraiser, a person must be certified
3 as a registered professional appraiser under Section 1151.160,
4 Occupations Code, possess an MAI professional designation from the
5 Appraisal Institute, or possess an Assessment Administration
6 Specialist (AAS), Certified Assessment Evaluator (CAE), or
7 Residential Evaluation Specialist (RES) professional designation
8 from the International Association of Assessing Officers. A person
9 who is eligible to be appointed or serve as a chief appraiser by
10 having a professional designation described by this subsection must
11 become certified as a registered professional appraiser under
12 Section 1151.160, Occupations Code, not later than the fifth
13 anniversary of the date the person is appointed or begins to serve
14 as chief appraiser. A chief appraiser who is not eligible to be
15 appointed or serve as chief appraiser may not perform an action
16 authorized or required by law to be performed by a chief appraiser,
17 including the preparation, certification, or submission of any part
18 of the appraisal roll. Not later than January 1 of each year, a
19 chief appraiser shall notify the comptroller in writing that the
20 chief appraiser is either eligible to be appointed or serve as the
21 chief appraiser or not eligible to be appointed or serve as the
22 chief appraiser.

23 (d) Except as provided by Section 6.0501, the ~~The~~ chief
24 appraiser is entitled to compensation as provided by the budget
25 adopted by the board of directors. The chief appraiser's
26 compensation may not be directly or indirectly linked to an
27 increase in the total market, appraised, or taxable value of

1 property in the appraisal district. Except as provided by Section
2 6.0501, the ~~[The]~~ chief appraiser may employ and compensate
3 professional, clerical, and other personnel as provided by the
4 budget, with the exception of a general counsel to the appraisal
5 district.

6 SECTION 3. Subchapter A, Chapter 6, Tax Code, is amended by
7 adding Section 6.0501 to read as follows:

8 Sec. 6.0501. APPOINTMENT OF ELIGIBLE CHIEF APPRAISER BY
9 COMPTROLLER. (a) The comptroller shall appoint a person eligible
10 to be a chief appraiser under Section 6.05(c) or a person who has
11 previously been appointed or served as a chief appraiser to perform
12 the duties of chief appraiser for an appraisal district whose chief
13 appraiser is ineligible to serve.

14 (b) A chief appraiser appointed under this section serves
15 until the earlier of:

16 (1) the first anniversary of the date the comptroller
17 appoints the chief appraiser; or

18 (2) the date the board of directors of the appraisal
19 district:

20 (A) appoints a chief appraiser under Section
21 6.05(c); or

22 (B) contracts with an appraisal district or a
23 taxing unit to perform the duties of the appraisal office for the
24 district under Section 6.05(b).

25 (c) The comptroller shall determine the compensation of a
26 chief appraiser appointed under this section. A chief appraiser
27 appointed under this section shall determine the budget necessary

1 for the adequate operation of the appraisal office, subject to the
2 approval of the comptroller. The board of directors of the
3 appraisal district shall amend the budget as necessary to
4 compensate the appointed chief appraiser and fund the appraisal
5 office as determined under this subsection.

6 (d) An appraisal district that does not appoint a chief
7 appraiser or contract with an appraisal district or a taxing unit to
8 perform the duties of the appraisal office by the first anniversary
9 of the date the comptroller appoints a chief appraiser shall
10 contract with an appraisal district or a taxing unit to perform the
11 duties of the appraisal office or with a qualified public or private
12 entity to perform the duties of the chief appraiser, subject to the
13 approval of the comptroller.

14 SECTION 4. The Texas Commission of Licensing and Regulation
15 shall adopt the rules required by Section 1151.1581(f), Occupations
16 Code, as added by this Act, not later than January 1, 2014.

17 SECTION 5. A person appointed or serving as a chief
18 appraiser in an appraisal district established in a county with a
19 population of 100,000 or less on the effective date of this Act who
20 is not eligible to be appointed or serve as a chief appraiser under
21 Section 6.05(c), Tax Code, as amended by this Act, but who is
22 registered with the Texas Department of Licensing and Regulation
23 and classified as a Class III appraiser under the rules of the Texas
24 Commission of Licensing and Regulation may continue to serve as the
25 chief appraiser until January 1, 2016.

26 SECTION 6. This Act takes effect January 1, 2014.