

By: Hilderbran

H.B. No. 2224

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications of the chief appraiser of an appraisal district; creating an offense.

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. Subchapter F, Chapter 1151, Occupations Code, is amended by adding Section 1151.254 to read as follows:

Sec. 1151.254. PROHIBITED ACTIONS OF CHIEF APPRAISER. (a) A person who is appointed or serves as the chief appraiser of an appraisal district who is not certified as a registered professional appraiser under this chapter commits an offense if the person performs an action authorized or required by law to be

1 performed by a chief appraiser of an appraisal district.

2 (b) An offense under this section is a Class A misdemeanor.

3 SECTION 3. Sections 6.05(c) and (d), Tax Code, are amended
4 to read as follows:

5 (c) The chief appraiser is the chief administrator of the
6 appraisal office. Except as provided by Section 6.0501, the [The]
7 chief appraiser is appointed by and serves at the pleasure of the
8 appraisal district board of directors. If a taxing unit performs
9 the duties of the appraisal office pursuant to a contract, the
10 assessor for the unit is the chief appraiser. To be eligible to be
11 appointed or serve as a chief appraiser, a person must be certified
12 as a registered professional appraiser under Section 1151.160,
13 Occupations Code. A chief appraiser who is not eligible to be
14 appointed or serve as chief appraiser may not perform an action
15 authorized or required by law to be performed by a chief appraiser,
16 including the preparation, certification, or submission of any part
17 of the appraisal roll.

18 (d) Except as provided by Section 6.0501, the [The] chief
19 appraiser is entitled to compensation as provided by the budget
20 adopted by the board of directors. The chief appraiser's
21 compensation may not be directly or indirectly linked to an
22 increase in the total market, appraised, or taxable value of
23 property in the appraisal district. Except as provided by Section
24 6.0501, the [The] chief appraiser may employ and compensate
25 professional, clerical, and other personnel as provided by the
26 budget, with the exception of a general counsel to the appraisal
27 district.

SECTION 4. Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.0501 to read as follows:

Sec. 6.0501. APPOINTMENT OF ELIGIBLE CHIEF APPRAISER BY COMPTROLLER. (a) The comptroller shall appoint a person eligible to be a chief appraiser under Section 6.05(c) to perform the duties of chief appraiser for an appraisal district whose chief appraiser is ineligible to serve.

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

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

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

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

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

(c) The comptroller shall determine the compensation of a chief appraiser appointed under this section. A chief appraiser appointed under this section shall determine the budget necessary for the adequate operation of the appraisal office, subject to the approval of the comptroller. The board of directors of the appraisal district shall amend the budget as necessary to compensate the appointed chief appraiser and fund the appraisal office as determined under this subsection.

(d) An appraisal district that does not appoint a chief

1 appraiser or contract with an appraisal district to perform the
2 duties of the appraisal office by the first anniversary of the date
3 that the comptroller appoints a chief appraiser shall contract with
4 an appraisal district to perform the duties of the appraisal office
5 or with a qualified public or private entity to perform the duties
6 of the chief appraiser, subject to the approval of the comptroller.

7 SECTION 5. The Texas Commission of Licensing and Regulation
8 shall adopt the rules required by Section 1151.1581(f), Occupations
9 Code, as added by this Act, not later than January 1, 2014.

10 SECTION 6. A person appointed or serving as a chief
11 appraiser in an appraisal district established in a county with a
12 population of 100,000 or less on the effective date of this Act who
13 is not certified as a registered professional appraiser under
14 Chapter 1151, Occupations Code, but who is registered with the
15 Texas Department of Licensing and Regulation and classified as a
16 Class III appraiser under the rules of the Texas Commission of
17 Licensing and Regulation may continue to serve as the chief
18 appraiser until January 1, 2016.

19 SECTION 7. This Act takes effect January 1, 2014.