

By: Otto

H.B. No. 3442

Substitute the following for H.B. No. 3442:

By: Hilderbran

C.S.H.B. No. 3442

A BILL TO BE ENTITLED

AN ACT

relating to the obligation of an appraisal review board to respond to a property owner's request to postpone a hearing of the board.

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

SECTION 1. Section 41.45(e), Tax Code, is amended to read as follows:

(e) On request made to the appraisal review board before the date of the hearing, a property owner who has not designated an agent under Section 1.111 to represent the owner at the hearing is entitled to one postponement of the hearing to a later date without showing cause. In addition and without limitation as to the number of postponements, the board shall postpone the hearing to a later date if the property owner or the owner's agent at any time shows good cause for the postponement or if the chief appraiser consents to the postponement. The hearing may not be postponed to a date less than five or more than 30 days after the date scheduled for the hearing when the postponement is sought unless the date and time of the hearing as postponed are agreed to by the chairman of the ~~[appraisal review]~~ board or the chairman's representative, the property owner, and the chief appraiser. A request by a property owner for a postponement under this subsection may be made in writing, including by facsimile transmission or electronic mail, by telephone, or in person to the ~~[appraisal review]~~ board, a panel of the board, or the chairman of the board. The request must include

1 the mailing address and electronic mail address of the property
2 owner or agent making the request. The chairman or the chairman's
3 representative may take action on a postponement under this
4 subsection without the necessity of action by the full board if the
5 hearing for which the postponement is requested is scheduled to
6 occur before the next regular meeting of the board. Not later than
7 the seventh day after the date a request for a postponement is
8 received, the ~~[The granting by the appraisal review]~~ board, the
9 chairman of the board, or the chairman's representative must
10 respond in writing or by electronic mail to the property owner or
11 agent making the request and, if the request is granted, provide
12 notice of the date, time, and place fixed for the hearing ~~[of a~~
13 ~~postponement under this subsection does not require the delivery of~~
14 ~~additional written notice to the property owner]~~.

15 SECTION 2. The change in law made by this Act applies only
16 to a request for a postponement of an appraisal review board hearing
17 received by an appraisal review board on or after the effective date
18 of this Act. A request for a postponement of an appraisal review
19 board hearing received before the effective date of this Act is
20 governed by the law in effect when the request was received, and the
21 former law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2013.