By: Hinojosa
S.B. No. 1510

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the public notice required to be provided by certain

3 taxing units before adopting an ad valorem tax rate.

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

5 SECTION 1. Chapter 140, Local Government Code, is amended

6 by adding Section 140.010 to read as follows:

7 Sec. 140.010. PROPOSED PROPERTY TAX RATE NOTICE FOR

8 COUNTIES AND MUNICIPALITIES. (a) In this section, "effective tax

9 rate" and "rollback tax rate" mean the effective tax rate and

10 rollback tax rate of a county or municipality, as applicable, as

11 calculated under Chapter 26, Tax Code.

12 (b) Except as provided by this subsection, each county and

13 municipality shall provide notice of the county's or municipality's

14 proposed property tax rate in the manner provided by this section.

15 A county or municipality to which Section 26.052, Tax Code, applies

16 may provide notice of the county's or municipality's proposed

17 property tax rate in the manner provided by this section or in the

18 manner provided by Section 26.052, Tax Code.

19 (c) A county or municipality that provides notice of the

20 county's or municipality's proposed property tax rate in the manner

21 provided by this section is exempt from the notice and publication

22 requirements of Sections 26.04(e), 26.052, and 26.06, Tax Code, as

23 applicable, and is not subject to an injunction for failure to

24 comply with those requirements.

1   (d) A county or municipality that proposes a property tax

2 rate that does not exceed the lower of the effective tax rate or the

3 rollback tax rate shall provide the following notice:

4 "NOTICE OF (INSERT CURRENT TAX YEAR) TAX YEAR PROPOSED PROPERTY TAX

5   RATE FOR (INSERT NAME OF COUNTY OR MUNICIPALITY)

6 "A tax rate of $_____ per $100 valuation has been proposed by the

7 governing body of (insert name of county or municipality).

8   PROPOSED TAX RATE $_____ per $100

9   PRECEDING YEAR'S TAX RATE $_____ per $100

10   EFFECTIVE TAX RATE $_____ per $100

11 "The effective tax rate is the total tax rate needed to raise the

12 same amount of property tax revenue for (insert name of county or

13 municipality) from the same properties in both the (insert

14 preceding tax year) tax year and the (insert current tax year) tax

15 year.

16 "YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS

17   FOLLOWS:

18 property tax amount = (rate) x (taxable value of your property) /

19   100

20 "For assistance or detailed information about tax calculations,

21 please contact:

22   (insert name of county or municipal tax assessor-collector)

23   (insert   name   of   county   or   municipality)   tax

24 assessor-collector

25   (insert address)

26   (insert telephone number)

27   (insert e-mail address)

1 (insert Internet website address, if applicable)"

2 (e) A county or municipality that proposes a property tax

3 rate that exceeds the lower of the effective tax rate or the

4 rollback tax rate shall provide the following notice:

5 "NOTICE OF (INSERT CURRENT TAX YEAR) TAX YEAR PROPOSED PROPERTY TAX

6 RATE FOR (INSERT NAME OF COUNTY OR MUNICIPALITY)

7 "A tax rate of $_____ per $100 valuation has been proposed for

8 adoption by the governing body of (insert name of county or

9 municipality). This rate exceeds the lower of the effective or

10 rollback tax rate, and state law requires that two public hearings

11 be held by the governing body before adopting the proposed tax rate.

12 PROPOSED TAX RATE $_____ per $100

13 PRECEDING YEAR'S TAX RATE $_____ per $100

14 EFFECTIVE TAX RATE $_____ per $100

15 ROLLBACK TAX RATE $_____ per $100

16 "The effective tax rate is the total tax rate needed to raise the

17 same amount of property tax revenue for (insert name of county or

18 municipality) from the same properties in both the (insert

19 preceding tax year) tax year and the (insert current tax year) tax

20 year.

21 "The rollback tax rate is the highest tax rate that (insert name of

22 county or municipality) may adopt before voters are entitled to

23 petition for an election to limit the rate that may be approved to

24 the rollback rate.

1   "YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS

2   FOLLOWS:

3   property tax amount = (rate) x (taxable value of your property) /

4   100

5   "For assistance or detailed information about tax calculations,

6   please contact:

7   (insert name of county or municipal tax assessor-collector)

8   (insert name of county or municipality) tax

9   assessor-collector

10   (insert address)

11   (insert telephone number)

12   (insert e-mail address)

13   (insert Internet website address, if applicable)

14   "You are urged to attend and express your views at the following

15   public hearings on the proposed tax rate:

16   First Hearing: (insert date and time) at (insert location of

17   meeting).

18   Second Hearing: (insert date and time) at (insert location

19   of meeting)."

20   (f) A county or municipality shall:

21   (1) provide the notice required by Subsection (d) or

22   (e), as applicable, not later than September 1 by:

23   (A) publishing the notice in a newspaper having

24   general circulation in:

25   (i) the county, in the case of notice

26   published by a county; or

27   (ii) the county in which the municipality

1   is located or primarily located, in the case of notice published by

2   a municipality; or

3   (B)   mailing the notice to each property owner in:

4   (i)   the county, in the case of notice

5   provided by a county; or

6   (ii)   the municipality, in the case of

7   notice provided by a municipality; and

8   (2)   post the notice on the Internet website of the

9   county or municipality, if applicable, beginning not later than

10   September 1 and continuing until the county or municipality adopts

11   a tax rate.

12   (g)   If the notice required by Subsection (d) or (e) is

13   published in a newspaper:

14   (1)   the notice may not be smaller than one-quarter

15   page of a standard-size or a tabloid-size newspaper; and

16   (2)   the headline on the notice must be in 24-point or

17   larger type.

18   (h)   A county or municipality that provides notice under this

19   section shall on request provide any information described by

20   Sections 26.04(e)(1)-(7), Tax Code, regarding the county or

21   municipality, as applicable.

22   SECTION 2. This Act applies only to an ad valorem tax year

23   that begins on or after the effective date of this Act.

24   SECTION 3. This Act takes effect January 1, 2014.