

By: Deshotel

H.B. No. 1995

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority to modify an ad valorem tax abatement
3 agreement to extend the abatement period if a disaster prevents the
4 property owner from complying with the agreement.

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

6 SECTION 1. Section 312.208, Tax Code, is amended by
7 amending Subsection (a) and adding Subsection (c) to read as
8 follows:

9 (a) At any time before the expiration of an agreement made
10 under this subchapter, the agreement may be modified by the parties
11 to the agreement to include other provisions that could have been
12 included in the original agreement or to delete provisions that
13 were not necessary to the original agreement. The modification must
14 be made by the same procedure by which the original agreement was
15 approved and executed. Except as provided by Subsection (c), the
16 [The] original agreement may not be modified to extend beyond 10
17 years from the date of the original agreement.

18 (c) The parties to an agreement made under this subchapter
19 may modify the agreement to extend the abatement period for a period
20 not to exceed 10 years from the date the modified agreement is
21 executed if:

22 (1) the area in which the property that is the subject
23 of the agreement is located is declared to be a disaster area by the
24 governor;

1 (2) the owner of the property sustains a casualty loss
2 to the property as a result of the disaster; and

3 (3) the casualty loss prevents the owner of the
4 property from complying with the original agreement.

5 SECTION 2. The change in law made by this Act applies to the
6 modification of an ad valorem tax abatement agreement regardless of
7 whether the disaster prompting the modification of the agreement
8 occurred before, on, or after the effective date of this Act.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2015.