

By: Parker

H.B. No. 3012

Substitute the following for H.B. No. 3012:

By: Springer

C.S.H.B. No. 3012

A BILL TO BE ENTITLED

AN ACT

1
2 relating to appraisal review boards; amending provisions subject to
3 a criminal penalty.

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

5 SECTION 1. Section 6.41, Tax Code, is amended by amending
6 Subsections (d-1), (d-6), and (i) and adding Subsection (d-10) to
7 read as follows:

8 (d-1) In a county with a population of 120,000 or more the
9 members of the board, including auxiliary board members, are
10 appointed by the local administrative district judge under
11 Subchapter D, Chapter 74, Government Code, in the county in which
12 the appraisal district is established. All applications submitted
13 to the appraisal district or to the appraisal review board from
14 persons seeking appointment as a member of the appraisal review
15 board shall be delivered to the local administrative district
16 judge. The appraisal district may provide the local administrative
17 district judge with information regarding whether an applicant for
18 appointment to or a member of the board owes any delinquent ad
19 valorem taxes to a taxing unit participating in the appraisal
20 district.

21 (d-6) An appraisal review board commissioner may ~~[is]~~ not
22 serve ~~[disqualified from serving]~~ as a member of the appraisal
23 review board.

24 (d-10) An individual is ineligible to serve on an appraisal

1 review board described by Subsection (d-1) if the individual has
2 served on the board for all or part of three previous terms.

3 (i) This subsection applies only to an appraisal district
4 described by Subsection (d-1). A chief appraiser or another
5 employee or agent of the appraisal district, a member of the
6 appraisal review board for the appraisal district, a member of the
7 board of directors of the appraisal district, a property tax
8 consultant, or an agent of a property owner commits an offense if
9 the person communicates with the local administrative district
10 judge or an appraisal review board commissioner regarding the
11 appointment of appraisal review board members. This subsection does
12 not apply to:

13 (1) a communication between a member of the appraisal
14 review board and the local administrative district judge regarding
15 the member's reappointment to the board;

16 (2) a communication between the taxpayer liaison
17 officer for the appraisal district and the local administrative
18 district judge in the course of the performance of the officer's
19 clerical duties so long as the officer does not offer an opinion or
20 comment regarding the appointment of appraisal review board
21 members; or

22 (3) a communication between a chief appraiser or
23 another employee or agent of the appraisal district, a member of the
24 appraisal review board for the appraisal district, or a member of
25 the board of directors of the appraisal district and the local
26 administrative district judge regarding information described by
27 Subsection (d-1) of this section or Section [411.1296](#), Government

1 Code.

2 SECTION 2. Section 6.42(a), Tax Code, is amended to read as
3 follows:

4 (a) A majority of the appraisal review board constitutes a
5 quorum. The board may not take formal action at a meeting unless a
6 quorum of board members is present. The board [~~of directors of the~~
7 ~~appraisal district~~] by resolution adopted by majority vote shall
8 select a chairman and a secretary from among its [~~the~~] members [~~of~~
9 ~~the appraisal review board~~]. The board [~~of directors of the~~
10 ~~appraisal district~~] is encouraged to select as chairman of the
11 [~~appraisal review~~] board a member of the [~~appraisal review~~] board,
12 if any, who has a background in law and property appraisal.

13 SECTION 3. Section 41.71, Tax Code, is amended to read as
14 follows:

15 Sec. 41.71. EVENING AND WEEKEND HEARINGS. An appraisal
16 review board by rule shall provide for hearings on protests in the
17 evening or on a Saturday [~~or Sunday~~]. The board may not schedule a
18 hearing on a protest on a Sunday.

19 SECTION 4. The changes in law made by this Act to Section
20 6.41, Tax Code, do not affect the right of a person serving on the
21 appraisal review board of an appraisal district on the effective
22 date of this Act to complete the person's term on the board.

23 SECTION 5. The change in law made by this Act to Section
24 41.71, Tax Code, applies only to a hearing on a protest under
25 Chapter 41, Tax Code, that is scheduled on or after the effective
26 date of this Act. A hearing on a protest under Chapter 41, Tax Code,
27 that is scheduled before the effective date of this Act is governed

1 by the law in effect on the date the hearing was scheduled, and that
2 law is continued in effect for that purpose.

3 SECTION 6. This Act takes effect September 1, 2015.