

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 19, 2015

TO: Honorable Jane Nelson, Chair, Senate Committee on Finance

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3297** by Parker (Relating to pretrial settlement discussions during ad valorem tax appeals.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend Chapter 42 of the Tax Code, regarding judicial review of property tax cases, to permit a property owner or appraisal district that is party to an appeal to district court to submit a written request for settlement discussions to the other party. The settlement discussions may include an informal settlement conference or alternative dispute resolution. The court, on motion of either party, would be required to enter certain orders necessary to implement pretrial settlement discussions.

On or before the 120th day after the date the written request is delivered, each party (or their attorney) would be required to attend the settlement discussions and make a good faith effort to resolve the case. If the appraisal district is unable for any reason to attend the settlement discussions on or before the 120th day after the date the written request is delivered, the deadline to designate experts is: 1) with regard to all experts testifying for a party seeking affirmative relief, 60 days before the date of trial; and 2) with regard to all other experts, 30 days before the date of trial.

If a property owner is unable for any reason to attend the settlement discussions on or before the 120th day after the date the written request is delivered, certain provisions regarding expert witnesses would not apply.

The bill would not affect taxable property values, tax rates, collection rates, or any other variable which might affect the revenues of units of local governments or the state.

The bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2015.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: UP, KK, SD, SJS