

BILL ANALYSIS

H.B. 179
By: Roberts
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the state should do more to honor the sacrifices made by certain disabled first responders and ensure that these Texans are able to remain in their homes following injuries sustained in the line of duty. H.B. 179 provides for the creation of a residence homestead property tax exemption for qualifying disabled first responders.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 179 amends the Tax Code to entitle a first responder who, as a result of an injury occurring in the line of duty, is entitled to receive lifetime income benefits under the Texas Workers' Compensation Act to an exemption from taxation of the total appraised value of the qualifying disabled first responder's residence homestead. The bill extends the exemption to the qualifying disabled first responder's surviving spouse if the surviving spouse has not remarried since the first responder's death and the property was the surviving spouse's residence homestead when the qualifying first responder died and remains the surviving spouse's residence homestead. If a surviving spouse who qualifies for the exemption subsequently qualifies a different property as the surviving spouse's residence homestead, the surviving spouse is entitled to an exemption from taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from taxation of the former homestead in the last year in which the surviving spouse received the exemption for that homestead if the surviving spouse has not remarried since the qualifying disabled first responder's death. The bill entitles the surviving spouse to receive from the chief appraiser of the appraisal district in which the former residence homestead was located a written certificate providing the information necessary to determine the amount of the exemption to which the surviving spouse is entitled on the subsequently qualified homestead.

H.B. 179 authorizes a person who qualifies for the residence homestead property tax exemption for certain disabled first responders after January 1 of a tax year to receive the exemption for the applicable portion of that tax year immediately on qualification for the exemption. The bill establishes that the property tax exemption, once allowed, need not be claimed in subsequent years and applies to the property until it changes ownership or the person's qualification for the exemption changes, subject to certain conditions. The bill subjects the exemption to statutory provisions relating to a late application for certain homestead exemptions and the proration of taxes following the loss of a homestead exemption.

H.B. 179 makes statutory provisions relating to the calculation of taxes on the residence homestead of a 100 percent or totally disabled veteran applicable to the calculation of taxes on the residence homestead of a person who qualifies for an exemption as a qualifying disabled first responder or as the surviving spouse of same.

H.B. 179 amends the Government Code to establish that a residence homestead that receives the exemption established by the bill in the year that is the subject of a study of school district property values conducted by the comptroller of public accounts is not considered to be taxable property for purposes of the study.

EFFECTIVE DATE

January 1, 2018, if the constitutional amendment authorizing the legislature to provide for an exemption from property taxation of all or part of the market value of the residence homesteads of certain disabled first responders and their surviving spouses is approved by the voters.