

BILL ANALYSIS

Senate Research Center
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H.J.R. 21
By: Bell et al. (Creighton)
Veteran Affairs & Border Security
5/15/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Several charitable organizations donate specially adapted homes to returning soldiers who have sustained injuries while serving their country. Occasionally, these donations would result in foreclosure because the disabled veteran was unable to pay property taxes on the donated home. In 2013, the 83rd Legislature enacted H.B. 97 to establish a property tax exemption of a percentage of the appraised value of the residence homestead equal to the disability rating of a partially disabled veteran if the homestead was donated to the disabled veteran by a charitable organization.

Under the current law, a partially disabled veteran who receives a home from a charitable organization is only entitled to the exemption if the home is donated at no cost to the veteran. If the charitable organization does not completely donate the home, then the veteran is not entitled to the exemption. H.B. 150 remedies this by extending the exemption to a home that was donated to the veteran at some cost to the veteran. H.J.R. 21 will provide the legislature the constitutional authority to enact H.B. 150.

H.J.R. 21 proposes a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1-b(l), Article VIII, Texas Constitution, as proposed by H.J.R. 24, 83rd Legislature, Regular Session, 2013, as follows:

(l) Authorizes the legislature by general law to provide that a partially disabled veteran is entitled to an exemption from ad valorem taxation of a percentage of the market value of the disabled veteran's residence homestead that is equal to the percentage of disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead, including at no cost to the disabled veteran, rather than donated by a charitable organization at no cost to the disabled veteran.

SECTION 2. Redesignates Section 1-b(l), Article VIII, Texas Constitution, as proposed by H.J.R. 62, 83rd Legislature, Regular Session, 2013, as Section 1-b(m), Article VIII, Texas Constitution, and makes no further changes to that subsection.

SECTION 3. Redesignates Section 1-b(m), Article VIII, Texas Constitution, as Section 1-b(n), Article VIII, Texas Constitution, and amends it to make conforming changes.

SECTION 4. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 7, 2017. Sets forth the required language of the ballot.