

By: Faircloth

H.B. No. 1783

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the appeal through binding arbitration of certain
3 appraisal review board orders; changing the amounts of certain
4 fees.

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

6 SECTION 1. Section 41A.03(a), Tax Code, is amended to read
7 as follows:

8 (a) To appeal an appraisal review board order under this
9 chapter, a property owner must file with the appraisal district not
10 later than the 45th day after the date the property owner receives
11 notice of the order:

12 (1) a completed request for binding arbitration under
13 this chapter in the form prescribed by Section 41A.04; and

14 (2) an arbitration deposit made payable to the
15 comptroller in the amount of:

16 (A) \$250 [~~\$450~~], if the property qualifies as the
17 owner's residence homestead under Section 11.13 and the appraised
18 or market value, as applicable, of the property is \$250,000
19 [~~\$500,000~~] or less, as determined by the order;

20 (B) \$350 [~~\$500~~], if the property qualifies as the
21 owner's residence homestead under Section 11.13 and the appraised
22 or market value, as applicable, of the property is more than
23 \$250,000 but not more than \$500,000, as determined by the order;

24 (C) \$500, if the property qualifies as the

1 owner's residence homestead under Section 11.13 and the appraised
2 or market value, as applicable, of the property is more than
3 \$500,000, as determined by the order;

4 (D) \$500, if the property does not qualify as the
5 owner's residence homestead under Section 11.13 and the appraised
6 or market value, as applicable, of the property is \$1 million or
7 less, as determined by the order;

8 (E) [~~(D)~~] \$800, if the property does not qualify
9 as the owner's residence homestead under Section 11.13 and the
10 appraised or market value, as applicable, of the property is more
11 than \$1 million but not more than \$2 million, as determined by the
12 order; or

13 (F) [~~(E)~~] \$1,050, if the property does not
14 qualify as the owner's residence homestead under Section 11.13 and
15 the appraised or market value, as applicable, of the property is
16 more than \$2 million but not more than \$3 million, as determined by
17 the order.

18 SECTION 2. Section 41A.06(b), Tax Code, is amended to read
19 as follows:

20 (b) To initially qualify to serve as an arbitrator under
21 this chapter, a person must:

22 (1) meet the following requirements, as applicable:

23 (A) be licensed as an attorney in this state; or

24 (B) have:

25 (i) completed at least 30 hours of training
26 in arbitration and alternative dispute resolution procedures from a
27 university, college, or legal or real estate trade association; and

1 (ii) been licensed or certified
2 continuously during the five years preceding the date the person
3 agrees to serve as an arbitrator as:

4 (a) a real estate broker or sales
5 agent [~~salesperson~~] under Chapter 1101, Occupations Code;

6 (b) a real estate appraiser under
7 Chapter 1103, Occupations Code; or

8 (c) a certified public accountant
9 under Chapter 901, Occupations Code; and

10 (2) agree to conduct an arbitration for a fee that is
11 not more than:

12 (A) \$200 [~~\$400~~], if the property qualifies as the
13 owner's residence homestead under Section 11.13 and the appraised
14 or market value, as applicable, of the property is \$250,000
15 [~~\$500,000~~] or less, as determined by the order;

16 (B) \$300 [~~\$450~~], if the property qualifies as the
17 owner's residence homestead under Section 11.13 and the appraised
18 or market value, as applicable, of the property is more than
19 \$250,000 but not more than \$500,000, as determined by the order;

20 (C) \$450, if the property qualifies as the
21 owner's residence homestead under Section 11.13 and the appraised
22 or market value, as applicable, of the property is more than
23 \$500,000, as determined by the order;

24 (D) \$450, if the property does not qualify as the
25 owner's residence homestead under Section 11.13 and the appraised
26 or market value, as applicable, of the property is \$1 million or
27 less, as determined by the order;

1 (E) [~~(D)~~] \$750, if the property does not qualify
2 as the owner's residence homestead under Section 11.13 and the
3 appraised or market value, as applicable, of the property is more
4 than \$1 million but not more than \$2 million, as determined by the
5 order; or

6 (F) [~~(E)~~] \$1,000, if the property does not
7 qualify as the owner's residence homestead under Section 11.13 and
8 the appraised or market value, as applicable, of the property is
9 more than \$2 million but not more than \$3 million, as determined by
10 the order.

11 SECTION 3. The changes in law made by this Act apply only to
12 a request for binding arbitration under Chapter 41A, Tax Code, that
13 is filed on or after the effective date of this Act. A request for
14 binding arbitration under Chapter 41A, Tax Code, that is filed
15 before the effective date of this Act is governed by the law in
16 effect on the date the request is filed, and the former law is
17 continued in effect for that purpose.

18 SECTION 4. This Act takes effect September 1, 2017.