

By: Murphy

H.B. No. 2228

Substitute the following for H.B. No. 2228:

By: Shine

C.S.H.B. No. 2228

A BILL TO BE ENTITLED

AN ACT

relating to deadlines for performing various functions in connection with the ad valorem tax system.

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

SECTION 1. Section 11.4391(a), Tax Code, is amended to read as follows:

(a) The chief appraiser shall accept and approve or deny an application for an exemption for freeport goods under Section 11.251 after the deadline for filing it has passed if it is filed not later than June 15 [~~before the date the appraisal review board approves the appraisal records~~].

SECTION 2. Section 21.09(b), Tax Code, is amended to read as follows:

(b) A person claiming an allocation must apply for the allocation each year the person claims the allocation. A person claiming an allocation must file a completed allocation application form before April [~~May~~] 1 and must provide the information required by the form. If the property was not on the appraisal roll in the preceding year, the deadline for filing the allocation application form is extended to the 30th [~~45th~~] day after the date of receipt of the notice of appraised value required by Section 25.19(a)(3). For good cause shown, the chief appraiser shall extend the deadline for filing an allocation application form by written order for a period not to exceed 30 [~~60~~] days.

1 SECTION 3. Section 22.23, Tax Code, is amended by adding
2 Subsections (c) and (d) to read as follows:

3 (c) Notwithstanding Subsections (a) and (b), rendition
4 statements and property reports for property located in an
5 appraisal district in which one or more taxing units exempt
6 property under Section 11.251 must be delivered to the chief
7 appraiser not later than April 1. On written request by the
8 property owner, the chief appraiser shall extend the deadline
9 provided by this subsection for filing a rendition statement or
10 property report to May 1. The chief appraiser may further extend
11 the deadline an additional 15 days for good cause shown in writing
12 by the property owner.

13 (d) Notwithstanding any other provision of this section,
14 rendition statements and property reports for property regulated by
15 the Public Utility Commission of Texas, the Railroad Commission of
16 Texas, the federal Surface Transportation Board, or the Federal
17 Energy Regulatory Commission must be delivered to the chief
18 appraiser not later than April 30, except as provided by Section
19 22.02. The chief appraiser may extend the filing deadline 15 days
20 for good cause shown in writing by the property owner.

21 SECTION 4. Section 41.11(a), Tax Code, is amended to read as
22 follows:

23 (a) Not later than the date the appraisal review board
24 approves the appraisal records as provided by Section 41.12, the
25 secretary of the board shall deliver written notice to a property
26 owner of any change in the records that is ordered by the board as
27 provided by this subchapter and that will result in an increase in

1 the tax liability of the property owner. An owner who receives a
2 notice as provided by this section shall be entitled to protest such
3 action as provided by Section 41.44(a)(2) [~~41.44(a)(3)~~].

4 SECTION 5. Sections 41.44(a) and (c), Tax Code, are amended
5 to read as follows:

6 (a) Except as provided by Subsections (b), [~~(b-1)~~], (c),
7 (c-1), and (c-2), to be entitled to a hearing and determination of a
8 protest, the property owner initiating the protest must file a
9 written notice of the protest with the appraisal review board
10 having authority to hear the matter protested:

11 (1) before May 15 [~~1~~] or not later than the 30th day
12 after the date that notice to the property owner was delivered to
13 the property owner as provided by Section 25.19, [~~if the property is~~
14 ~~a single-family residence that qualifies for an exemption under~~
15 ~~Section 11.13,~~] whichever is later;

16 (2) [~~before June 1 or not later than the 30th day after~~
17 ~~the date that notice was delivered to the property owner as provided~~
18 ~~by Section 25.19 in connection with any other property, whichever~~
19 ~~is later,~~

20 [~~(3)~~] in the case of a protest of a change in the
21 appraisal records ordered as provided by Subchapter A of this
22 chapter or by Chapter 25, not later than the 30th day after the date
23 notice of the change is delivered to the property owner;

24 (3) [~~(4)~~] in the case of a determination that a change
25 in the use of land appraised under Subchapter C, D, E, or H, Chapter
26 23, has occurred, not later than the 30th day after the date the
27 notice of the determination is delivered to the property owner; or

1 (4) [~~(5)~~] in the case of a determination of
2 eligibility for a refund under Section 23.1243, not later than the
3 30th day after the date the notice of the determination is delivered
4 to the property owner.

5 (c) A property owner who files notice of a protest
6 authorized by Section 41.411 is entitled to a hearing and
7 determination of the protest if the property owner files the notice
8 prior to the date the taxes on the property to which the notice
9 applies become delinquent. An owner of land who files a notice of
10 protest under Subsection (a)(3) [~~(a)(4)~~] is entitled to a hearing
11 and determination of the protest without regard to whether the
12 appraisal records are approved.

13 SECTION 6. Section 41.44(b-1), Tax Code, is repealed.

14 SECTION 7. This Act applies only to ad valorem taxes imposed
15 for a tax year beginning on or after the effective date of this Act.

16 SECTION 8. This Act takes effect January 1, 2018.