

By: Seliger

S.B. No. 931

A BILL TO BE ENTITLED

AN ACT

relating to the authority to waive certain penalties and interest in order to facilitate the settlement of an ad valorem tax appeal.

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

SECTION 1. Section 42.42(c), Tax Code, is amended to read as follows:

(c) If the final determination of an appeal occurs after the property owner has paid a portion of the tax finally determined to be due as required by Section 42.08, the assessor for each affected taxing unit shall prepare and mail a supplemental tax bill in the form and manner prescribed by Subsection (b). The additional tax is due and becomes delinquent as provided by Subsection (b), but the property owner is liable for penalties and interest on the tax included in the supplemental bill calculated as provided by Section 33.01 as if the tax included in the supplemental bill became delinquent on the original delinquency date prescribed by Chapter 31. If the final determination of the appeal occurs pursuant to a settlement agreement filed with the court, the property owner and the chief appraiser may agree to waive the penalties and interest otherwise required by this subsection on the additional tax due each affected taxing unit as a term of the settlement agreement.

SECTION 2. Section 42.43(b), Tax Code, is amended to read as follows:

(b) For a refund made under this section, the taxing unit

1 shall include with the refund interest on the amount refunded
2 calculated at an annual rate of 9.5 percent, calculated from the
3 delinquency date for the taxes until the date the refund is made.
4 If the final determination of the appeal occurs pursuant to a
5 settlement agreement filed with the court, the property owner and
6 the chief appraiser may agree to waive the interest otherwise
7 required by this subsection on the amount refunded to the property
8 owner as a term of the settlement agreement.

9 SECTION 3. The change in law made by this Act applies to an
10 appeal under Chapter 42, Tax Code, that is pending on the effective
11 date of this Act or that is filed on or after that date.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.