

By: Bettencourt

S.B. No. 1908

A BILL TO BE ENTITLED

AN ACT

relating to the selection of an arbitrator for purposes of an appeal through binding arbitration of certain appraisal review board orders.

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

SECTION 1. Section 41A.07, Tax Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) If the property owner proposes an arbitrator, the appraisal district may not reject the arbitrator unless the appraisal district files a complaint with the comptroller objecting to the appointment of the arbitrator on the ground that the arbitrator is not qualified to serve as an arbitrator under this chapter. The comptroller shall investigate the complaint. Not later than the seventh day after the date the appraisal district files the complaint, the comptroller shall determine whether the arbitrator is qualified to serve as an arbitrator under this chapter. If the comptroller determines that the arbitrator is qualified to serve as an arbitrator under this chapter, the comptroller shall dismiss the complaint and the appraisal district shall agree to the selection of the arbitrator proposed by the property owner. If the comptroller determines that the arbitrator is not qualified to serve as an arbitrator under this chapter, the comptroller shall remove the arbitrator from the registry and the parties shall attempt to select a different arbitrator from the

1 registry. The deadline for providing the notice described by
2 Subsection (b) is extended by the number of days required for the
3 comptroller to investigate and take action on a complaint filed
4 under this subsection. This subsection applies to a second
5 arbitrator proposed by the property owner in the same manner in
6 which it applies to the arbitrator initially proposed by the
7 property owner. The appraisal district may reject any subsequent
8 arbitrator proposed by the property owner without filing a
9 complaint with the comptroller.

10 SECTION 2. This Act applies only to an appeal through
11 binding arbitration under Chapter [41A](#), Tax Code, that is requested
12 on or after the effective date of this Act.

13 SECTION 3. This Act takes effect September 1, 2017.