

A BILL TO BE ENTITLED

AN ACT

relating to ad valorem taxation.

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

SECTION 1. Section 5.07, Tax Code, is amended by adding Subsection (f) to read as follows:

(f) The comptroller shall prescribe the form of the worksheets to be used by the designated officer or employee of each taxing unit in calculating the no-new-taxes rate and rollback tax rate for the unit as required by Chapter 26. The form must be in an electronic format and be capable of:

(1) being completed electronically;

(2) performing calculations automatically based on the data entered by the designated officer or employee;

(3) being certified by the designated officer or employee after completion; and

(4) being submitted electronically to the comptroller on completion and certification.

SECTION 2. Section 5.091, Tax Code, is amended to read as follows:

Sec. 5.091. STATEWIDE LIST OF TAX RATES. (a) Each year the comptroller shall prepare a list that includes the total tax rate imposed by each taxing unit in this state~~[, other than a school district, if the tax rate is reported to the comptroller,]~~ for the year ~~[preceding the year]~~ in which the list is prepared. The

1 comptroller shall list the tax rates alphabetically according to:

2 (1) the county or counties in which each taxing unit is  
3 located; and

4 (2) the name of each taxing unit [~~in descending~~  
5 ~~order~~].

6 (b) Not later than January 1 [~~December 31~~] of the following  
7 [~~each~~] year, the comptroller shall publish on the comptroller's  
8 Internet website the list required by Subsection (a).

9 SECTION 3. Chapter 5, Tax Code, is amended by adding Section  
10 5.092 to read as follows:

11 Sec. 5.092. STATEWIDE DATABASE OF OTHER  
12 PROPERTY-TAX-RELATED INFORMATION. (a) The comptroller shall  
13 create and maintain a property tax database that:

14 (1) contains information that is provided by  
15 designated officers or employees of taxing units in the manner  
16 required by the comptroller;

17 (2) is continuously updated as preliminary and revised  
18 data become available to and are provided by the designated  
19 officers or employees of taxing units;

20 (3) is accessible to the public; and

21 (4) is searchable by property address.

22 (b) The database must include, with respect to each property  
23 listed on an appraisal roll:

24 (1) the property's identification number;

25 (2) the property's market value;

26 (3) the property's taxable value;

27 (4) the name of each taxing unit in which the property

1 is located;

2 (5) for each taxing unit other than a school district  
3 in which the property is located:

4 (A) the no-new-taxes rate; and

5 (B) the rollback tax rate;

6 (6) for each school district in which the property is  
7 located:

8 (A) the rate to maintain the same amount of state  
9 and local revenue per weighted student that the district received  
10 in the school year beginning in the preceding tax year; and

11 (B) the rollback tax rate;

12 (7) the tax rate proposed by the governing body of each  
13 taxing unit in which the property is located;

14 (8) for each taxing unit other than a school district  
15 in which the property is located, the taxes that would be imposed on  
16 the property if the unit adopted a tax rate equal to:

17 (A) the no-new-taxes rate; and

18 (B) the proposed tax rate;

19 (9) for each school district in which the property is  
20 located, the taxes that would be imposed on the property if the unit  
21 adopted a tax rate equal to:

22 (A) the rate to maintain the same amount of state  
23 and local revenue per weighted student that the district received  
24 in the school year beginning in the preceding tax year; and

25 (B) the proposed tax rate;

26 (10) for each taxing unit other than a school district  
27 in which the property is located, the difference between the amount

1 calculated under Subdivision (8)(A) and the amount calculated under  
2 Subdivision (8)(B);

3 (11) for each school district in which the property is  
4 located, the difference between the amount calculated under  
5 Subdivision (9)(A) and the amount calculated under Subdivision  
6 (9)(B);

7 (12) the date and location of each public hearing, if  
8 applicable, on the proposed tax rate to be held by the governing  
9 body of each taxing unit in which the property is located; and

10 (13) the date and location of the public meeting in  
11 which the tax rate will be adopted to be held by the governing body  
12 of each taxing unit in which the property is located.

13 (c) The database must provide a link to the information  
14 posted under Section 26.17 on the Internet website of each taxing  
15 unit in which the property is located.

16 (d) The officer or employee designated by the governing body  
17 of each taxing unit to calculate the no-new-taxes rate and the  
18 rollback tax rate for the unit must electronically submit to the  
19 comptroller:

20 (1) the information described by Subsection (b) as the  
21 information becomes available; and

22 (2) the worksheets prepared under Section 26.04(d-1)  
23 at the same time the officer or employee submits the tax rates to  
24 the governing body of the unit under Section 26.04(e).

25 (e) The comptroller shall deliver by e-mail to the  
26 designated officer or employee confirmation of receipt of the  
27 worksheets submitted under Subsection (d)(2). The comptroller

1 shall incorporate the worksheets into the database and make them  
2 available to the public not later than the third day after the date  
3 the comptroller receives them.

4 SECTION 4. Sections 25.19(b) and (i), Tax Code, are amended  
5 to read as follows:

6 (b) The chief appraiser shall separate real from personal  
7 property and include in the notice for each:

8 (1) a list of the taxing units in which the property is  
9 taxable;

10 (2) the appraised value of the property in the  
11 preceding year;

12 (3) the taxable value of the property in the preceding  
13 year for each taxing unit taxing the property;

14 (4) the appraised value of the property for the  
15 current year, the kind and amount of each exemption and partial  
16 exemption, if any, approved for the property for the current year  
17 and for the preceding year, and, if an exemption or partial  
18 exemption that was approved for the preceding year was canceled or  
19 reduced for the current year, the amount of the exemption or partial  
20 exemption canceled or reduced;

21 (5) [~~if the appraised value is greater than it was in~~  
22 ~~the preceding year, the amount of tax that would be imposed on the~~  
23 ~~property on the basis of the tax rate for the preceding year,~~

24 [~~(6)~~] in italic typeface, the following statement:  
25 "The Texas Legislature does not set the amount of your local taxes.  
26 Your property tax burden is decided by your locally elected  
27 officials, and all inquiries concerning your taxes should be

1 directed to those officials";

2           (6) [~~(7)~~] a detailed explanation of the time and  
3 procedure for protesting the value;

4           (7) [~~(8)~~] the date and place the appraisal review  
5 board will begin hearing protests; and

6           (8) [~~(9)~~] a brief explanation that the governing body  
7 of each taxing unit decides whether or not taxes on the property  
8 will increase and the appraisal district only determines the value  
9 of the property.

10           (i) Delivery with a notice required by Subsection (a) or (g)  
11 of a copy of the pamphlet published by the comptroller under Section  
12 5.06 or a copy of the notice published by the chief appraiser under  
13 Section 41.70 is sufficient to comply with the requirement that the  
14 notice include the information specified by Subsection (b)(6)  
15 [~~(b)(7)~~] or (g)(3), as applicable.

16           SECTION 5. Section 26.012(7), Tax Code, is amended to read  
17 as follows:

18           (7) "Debt" means a bond, warrant, certificate of  
19 obligation, or other evidence of indebtedness owed by a taxing unit  
20 that has been approved at an election and is payable solely from  
21 property taxes in installments over a period of more than one year,  
22 not budgeted for payment from maintenance and operations funds, and  
23 secured by a pledge of property taxes, or a payment made under  
24 contract to secure indebtedness of a similar nature issued by  
25 another political subdivision on behalf of the taxing unit.

26           SECTION 6. Chapter 26, Tax Code, is amended by adding  
27 Section 26.031 to read as follows:

1       Sec. 26.031. EFFECTIVE AND ROLLBACK TAX RATES OF A TAXING  
2 UNIT OTHER THAN A SCHOOL DISTRICT.

3       (a) An officer or employee designated by the governing body  
4 of a taxing unit other than a school district shall calculate the  
5 no-new-taxes rate and the rollback tax rate for the unit using the  
6 electronic, fillable form or forms promulgated by the comptroller  
7 under Section 5.07.

8       (b) The no-new-taxes rate of a taxing unit other than a  
9 school district is determined by the following formula:

10           (Prior year) Tax levy, adjusted for lost value  
11           divided by (Current year) Taxable value, adjusted for  
12 new value  
13           equals (Current year) No-new-taxes rate

14       (c) The rollback tax rate of a taxing unit other than a  
15 school district is determined by the following formula:

16           (Current year) No-new-taxes maintenance & operations  
17 rate  
18           plus 4% of (Current year) No-new-taxes maintenance &  
19 operations rate  
20           plus Current year debt rate  
21           plus Adjustment for criminal justice mandate  
22           plus Adjustment for indigent health care  
23           minus Adjustment for additional sales tax  
24           equals (Current year) Rollback tax rate

25       (d) The no-new-taxes rate for a county is the sum of the  
26 no-new-taxes rates calculated for each type of tax the county  
27 levies and the rollback tax rate for a county is the sum of the

1 rollback tax rates calculated for each type of tax the county  
2 levies.

3 (e) If as a result of consolidation of taxing units a taxing  
4 unit includes territory that was in two or more taxing units in the  
5 preceding year, the amount of taxes imposed in each in the preceding  
6 year is combined for purposes of calculating the no-new-taxes rate  
7 and rollback tax rate under this section.

8 (f) Notwithstanding Section 26.012, in this section:

9 (1) "Actual collection rate" means the total amount of  
10 taxes levied in a tax year, divided by the total amount of tax  
11 revenue, including delinquent taxes, penalty and interest,  
12 collected between July 1 of the tax year and June 30 of the  
13 following tax year, expressed as a percentage. If the actual  
14 collection rate exceeds 100%, the rate shall not be reduced to 100%.

15 (2) "Adjustment for additional sales tax" is the  
16 amount determined under Section 26.041, divided by the current year  
17 total taxable value for rollback calculation.

18 (3) "Adjustment for criminal justice mandate " is the  
19 amount determined under Section 26.044.

20 (4) "Adjustment for indigent health care" is the  
21 amount determined under Section 26.0441.

22 (5) "Average collection rate" means the average of the  
23 actual collection rate for all taxes levied by the taxing unit for  
24 the three years immediately preceding the current year.

25 (6) "Current year total taxable value" means the sum  
26 of:

27 (A) the total taxable value of property listed on



1 the certified appraisal roll for the current year, including all  
2 appraisal roll supplements and corrections, as of the date of the  
3 calculation. Appraisal roll corrections include any adjustments to  
4 taxable value resulting from final court decisions regardless of  
5 whether the appraisal roll has been corrected under Section 42.41  
6 as of the date of calculation;

7           (B) the taxable value of properties under protest  
8 that are included on the list prepared by the chief appraiser under  
9 Section 26.01(c). For purposes of this subdivision, taxable value  
10 means the taxable value as determined by the appraisal district and  
11 does not mean a lower value claimed by the property owner or  
12 estimated by the chief appraiser;

13           (C) the taxable value of properties known to the  
14 chief appraiser that are included on the list prepared by the chief  
15 appraiser under Section 26.01(d). For purposes of this  
16 subdivision, taxable value means the taxable value as determined by  
17 the appraisal district and does not mean a lower value claimed by  
18 the property owner or estimated by the chief appraiser; and

19           (D) for counties, the value of rolling stock  
20 certified to the county tax assessor-collector by the comptroller  
21 under Section 24.38.

22           (7) "Current year taxable value of homesteads subject  
23 to tax limitation" means the taxable value of homesteads that  
24 qualified for a tax limitation as provided by Section 11.261 for the  
25 current year.

26           (8) "Current year taxable value of new improvements"  
27 means the sum of:

1           (A) the taxable value of new improvements to real  
2 property that were not on the appraisal roll for the prior year;

3           (B) the taxable value of real property that is  
4 taxable in the current year but was not taxable in whole or in part  
5 in the prior year because the real property was subject to a tax  
6 abatement agreement, less the value of the real property that was  
7 taxable in the prior year.

8           (9) "Current year taxable value of property annexed"  
9 means the taxable value of real property and personal property  
10 located in territory annexed to the taxing unit after January 1 of  
11 the prior year.

12           (10) "Current year debt rate" of a taxing unit other  
13 than a school district is determined by the following formula:

14                   (Current year) Debt service  
15                   plus Excess collections  
16                   equals (Current year) Adjusted debt  
17                   multiplied by (Current year) Average collection  
18 rate

19                   equals (Current year) Debt adjusted for  
20 collection rate

21                   divided by Current year total taxable value for  
22 rollback calculation

23                   Equals (Current year) Debt tax rate

24           (11) "Current year total taxable value for rollback  
25 calculation" means current year total taxable value, minus current  
26 year taxable value of homesteads subject to tax limitation.

27           (12) "No-new-taxes maintenance & operations rate" of a

1 taxing unit other than a school district is determined by the  
2 following formula:

3 (Prior year) Maintenance & operations tax rate  
4 divided by (Prior year) Adopted tax rate  
5 equals Percentage of (prior year) tax levy  
6 attributable to maintenance & operations  
7 multiplied by No-new-taxes rate for current year  
8 equals No-new-taxes maintenance & operations rate  
9 for current year

10 (13) "Prior year total taxable value" means the total  
11 taxable value of property listed on the certified appraisal roll  
12 for the prior year, including all appraisal roll supplements and  
13 corrections, as of the date of the calculation. Appraisal roll  
14 corrections include any adjustments to taxable value resulting from  
15 final court decisions regardless of whether the appraisal roll has  
16 been corrected under Section 42.41 as of the date of calculation.

17 (14) "Prior year taxable value in excess of new  
18 special appraisal" means, for real property that has qualified for  
19 special appraisal under Chapter 23 for the first time in the current  
20 year, the taxable value of the property in the prior year minus the  
21 taxable value of the property under Chapter 23 in the current year.

22 (15) "Prior year taxable value of homesteads subject  
23 to tax limitation" means the taxable value of homesteads that  
24 qualified for a tax limitation as provided by Section 11.261 for the  
25 prior year.

26 (16) "Prior year taxable value of newly-exempt real  
27 property" means the sum of:

1           (A) for real property that is wholly exempt for  
2 the first time in the current year, the taxable value of the real  
3 property for the prior year; and

4           (B) for real property that is partially exempt in  
5 the current year, the amount of the property's value exempt in the  
6 current year minus the amount of the property's value exempt in the  
7 prior year.

8           (17) "Prior year taxable value of property de-annexed"  
9 means the taxable value of property that was taxable in the prior  
10 year but is not taxable in the current year because the property is  
11 located in territory that ceased to be a part of the taxing unit  
12 after January 1 of the prior year.

13           (18) "Tax levy, adjusted for lost value" of a taxing  
14 unit other than a school district is determined by the following  
15 formula:

16                   Prior year total taxable value  
17                   minus Prior year taxable value of homesteads  
18 subject to tax limitation  
19                   minus Prior year total taxable value of property  
20 de-annexed  
21                   minus Prior year total taxable value of  
22 newly-exempt property  
23                   minus Prior year total taxable value in excess of  
24 new special appraisal  
25                   equals Prior year total taxable value, adjusted  
26 for lost value  
27                   divided by 100

1 multiplied by (Prior year) Tax rate  
2 equals (Prior year) Tax levy, adjusted for lost  
3 value

4 (19) "Taxable value, adjusted for new value" of a  
5 taxing unit other than a school district is determined by the  
6 following formula:

7 Current year total taxable value  
8 minus Current year taxable value of homesteads  
9 subject to tax limitation

10 minus Current year taxable value of property  
11 annexed  
12 minus Current year taxable value of new

13 improvements  
14 equals (Current year) Taxable value, adjusted for  
15 new value

16 SECTION 7. The heading to Section 26.04, Tax Code, is  
17 amended to read as follows:

18 Sec. 26.04. SUBMISSION OF ROLL TO GOVERNING BODY;  
19 EFFECTIVE AND ROLLBACK TAX RATES OF A SCHOOL DISTRICT.

20 SECTION 8. Section 26.04, Tax Code, is amended by amending  
21 Subsections (c), (f) and (g) and by adding Subsections (d-1),  
22 (d-2), (d-3), (d-4) and (e-2) to read as follows:

23 (c) An officer or employee designated by the governing body  
24 of a school district shall calculate the effective tax rate and the  
25 rollback tax rate for the unit, where:

26 (1) "Effective tax rate" means a rate expressed in  
27 dollars per \$100 of taxable value calculated according to the

1 following formula:

2 EFFECTIVE TAX RATE = (LAST YEAR'S LEVY - LOST PROPERTY LEVY) /  
3 (CURRENT TOTAL VALUE - NEW PROPERTY VALUE)

4 ; and

5 (2) "Rollback tax rate" means a rate expressed in  
6 dollars per \$100 of taxable value calculated according to the  
7 following formula:

8 ROLLBACK TAX RATE = (EFFECTIVE MAINTENANCE AND OPERATIONS RATE x  
9 1.08) + CURRENT DEBT RATE

10 (d-1) The designated officer or employee shall use the  
11 worksheet forms prescribed by the comptroller under Section 5.07(f)  
12 in calculating the no-new-taxes rate and the rollback tax rate.

13 (d-2) The designated officer or employee shall submit the  
14 worksheets to:

15 (1) the chief appraiser of the appraisal district in  
16 which the taxing unit is located; and

17 (2) the chief financial officer or the auditor for the  
18 taxing unit.

19 (d-3) The designated officer or employee may not submit the  
20 no-new-taxes rate and the rollback tax rate to the governing body of  
21 the taxing unit and the governing body of the unit may not adopt a  
22 tax rate until:

23 (1) the chief appraiser submits to the governing body  
24 of the unit a written certification that the values used in the  
25 calculations are the same as the values shown in the unit's  
26 appraisal roll; and

27 (2) the chief financial officer or the auditor for the

1 unit submits to the governing body of the unit a written  
2 certification that the rollback tax rate has been calculated  
3 correctly.

4 (d-4) The comptroller shall adopt rules governing the form  
5 of the certifications required by Subsection (d-3) and the manner  
6 in which they are required to be submitted.

7 (e-2) By August 7 or as soon thereafter as practicable, the  
8 assessor of each county shall deliver by regular mail or e-mail to  
9 each owner of property in the county, and shall post in a  
10 conspicuous place on the home page of the Internet website of the  
11 assessor, a notice that the estimated amount of taxes to be imposed  
12 on the owner's property by each taxing unit in which the property is  
13 located may be found in the property tax database maintained by the  
14 comptroller under Section 5.092. The notice must include:

15 (1) the address of the Internet website at which the  
16 information may be found;

17 (2) a statement that the property owner may request a  
18 written copy of the information from the assessor for each taxing  
19 unit in which the property is located; and

20 (3) the address and telephone number of each assessor  
21 from whom the written copy may be requested.

22 (f) If as a result of consolidation of school districts  
23 [~~taxing units~~] a school district [~~taxing unit~~] includes territory  
24 that was in two or more school districts [~~taxing units~~] in the  
25 preceding year, the amount of taxes imposed in each in the preceding  
26 year is combined for purposes of calculating the no-new-taxes rate  
27 [~~effective~~] and rollback tax rate [~~rates~~] under this section.

1 (g) A person who owns taxable property is entitled to an  
2 injunction prohibiting the taxing unit in which the property is  
3 taxable from adopting a tax rate if the assessor or designated  
4 officer or employee of the unit, as applicable, has not complied  
5 with the computation or publication requirements of this section or  
6 Section 5.092(d) [~~and the failure to comply was not in good faith~~].

7 SECTION 9. The heading to Section 26.041, Tax Code, is  
8 amended to read as follows:

9 Sec. 26.041. CALCULATION OF [~~TAX RATE OF UNIT IMPOSING~~]  
10 ADDITIONAL SALES AND USE TAX REVENUE.

11 SECTION 10. Sections 26.041(d), (f), (g), (h), (i) and(j),  
12 Tax Code, are amended to read as follows:

13 (a) [~~(a)~~] The amount of additional sales and use tax revenue  
14 for the current tax year for purposes of the calculation under  
15 Section 26.031(c) is [~~In order to determine the amount of~~  
16 ~~additional sales and use tax revenue for purposes of this section,~~  
17 ~~the designated officer or employee shall use~~] the sales and use tax  
18 revenue for the last preceding four quarters for which the  
19 information is available [~~as the basis for projecting the~~  
20 ~~additional sales and use tax revenue for the current tax year~~]. If  
21 the rate of the additional sales and use tax is increased or  
22 reduced, the projection to be used for the first tax year after the  
23 effective date of the sales and use tax change shall be adjusted to  
24 exclude any revenue gained or lost because of the sales and use tax  
25 rate change. If the unit did not impose an additional sales and use  
26 tax for the last preceding four quarters, the designated officer or  
27 employee shall request the comptroller of public accounts to



1 provide to the officer or employee a report showing the estimated  
2 amount of taxable sales and uses within the unit for the previous  
3 four quarters as compiled by the comptroller, and the comptroller  
4 shall comply with the request. The officer or employee shall  
5 prepare the estimate of the additional sales and use tax revenue for  
6 the first year of the imposition of the tax by multiplying the  
7 amount reported by the comptroller by the appropriate additional  
8 sales and use tax rate and by multiplying that product by .95.

9 (b) [~~(f)~~] An estimate made by the comptroller under  
10 Subsection (a) [~~(d)~~] of this section need not be adjusted to take  
11 into account any projection of additional revenue attributable to  
12 increases in the total value of items taxable under the state sales  
13 and use tax because of amendments of Chapter 151, Tax Code.

14 (c) [~~(g)~~] If the rate of the additional sales and use tax is  
15 increased, the designated officer or employee shall make two  
16 projections, in the manner provided by Subsection (a) [~~(d)~~] of this  
17 section, of the revenue generated by the additional sales and use  
18 tax in the following year. The first projection must take into  
19 account the increase and the second projection must not take into  
20 account the increase. The officer or employee shall then subtract  
21 the amount of the result of the second projection from the amount of  
22 the result of the first projection to determine the revenue  
23 generated as a result of the increase in the additional sales and  
24 use tax. In the first year in which an additional sales and use tax  
25 is increased, the amount of additional sales and use tax revenue  
26 calculated under this section shall include [~~effective tax rate for~~  
27 ~~the unit is the effective tax rate before the increase minus a~~

1 ~~number the numerator of which is~~ the revenue projected to be  
 2 generated as a result of the increase in the additional sales and  
 3 use tax rate [~~tax, as determined under this subsection, and the~~  
 4 ~~denominator of which is the current total value minus the new~~  
 5 ~~property value~~].

6 (d) [~~(h)~~] If the rate of the additional sales and use tax is  
 7 decreased, the designated officer or employee shall make two  
 8 projections, in the manner provided by Subsection (a) [~~(d)~~] of this  
 9 section, of the revenue generated by the additional sales and use  
 10 tax in the following year. The first projection must take into  
 11 account the decrease and the second projection must not take into  
 12 account the decrease. The officer or employee shall then subtract  
 13 the amount of the result of the first projection from the amount of  
 14 the result of the second projection to determine the revenue lost as  
 15 a result of the decrease in the additional sales and use tax. In the  
 16 first year in which an additional sales and use tax is decreased,  
 17 the amount of additional sales and use tax revenue calculated under  
 18 this section shall not include [~~the effective tax rate for the unit~~  
 19 ~~is the effective tax rate before the decrease plus a number the~~  
 20 ~~numerator of which is~~] the revenue projected to be lost as a result  
 21 of the decrease in the additional sales and use tax rate [~~tax, as~~  
 22 ~~determined under this subsection, and the denominator of which is~~  
 23 ~~the current total value minus the new property value~~].

24 (f) [~~(i)~~] Any amount derived from the sales and use tax that  
 25 is or will be distributed by a county to the recipient of an  
 26 economic development grant made under Chapter 381, Local Government  
 27 Code, is not considered to be sales and use tax revenue for purposes

1 of this section.

2           (g)~~[(j)]~~ Any amount derived from the sales and use tax  
3 that is retained by the comptroller under Section 4 or 5, Chapter  
4 1507, Acts of the 76th Legislature, Regular Session, 1999 (Article  
5 5190.14, Vernon's Texas Civil Statutes), is not considered to be  
6 sales and use tax revenue for purposes of this section.

7           SECTION 11. The heading to Section 26.044, Tax Code, is  
8 amended to read as follows:

9           Sec. 26.044. ROLLBACK ~~[EFFECTIVE]~~ TAX RATE TO PAY FOR STATE  
10 CRIMINAL JUSTICE MANDATE.

11           SECTION 12. Sections 26.044(a)-(c), Tax Code, are amended  
12 to read as follows:

13           (a) The first time that a county adopts a tax rate after  
14 September 1, 1991, in which the state criminal justice mandate  
15 applies to the county, the adjustment for criminal justice mandate  
16 under Section 26.031(c) is the state criminal justice mandate,  
17 divided by the current year total taxable value for rollback  
18 calculation. ~~[effective maintenance and operation rate for the~~  
19 ~~county is increased by the rate calculated according to the~~  
20 ~~following formula:~~

21 ~~(State Criminal Justice Mandate) / (Current Total Value - New~~  
22 ~~Property Value)]~~

23           (b) In the second and subsequent years that a county adopts  
24 a tax rate, if the amount spent by the county for the state criminal  
25 justice mandate increased over the previous year, the adjustment  
26 for criminal justice mandate under Section 26.031(c) is the current  
27 year's state criminal justice mandate minus the prior year's state

1 criminal justice mandate, divided by the current year total taxable  
2 value for rollback calculation. [~~effective maintenance and~~  
3 ~~operation rate for the county is increased by the rate calculated~~  
4 ~~according to the following formula:~~

5 ~~(This Year's State Criminal Justice Mandate - Previous Year's State~~  
6 ~~Criminal Justice Mandate) / (Current Total Value - New Property~~  
7 ~~Value)]~~

8 (c) The county shall include a notice of the increase in the  
9 rollback tax [~~effective maintenance and operation~~] rate as a result  
10 of the adjustment for criminal justice mandate [~~provided by this~~  
11 ~~section~~], including a description and amount of the state criminal  
12 justice mandate, in the information published under Section  
13 26.04(e) and Section 26.06(b) of this code.

14 SECTION 13. The heading to Section 26.0441, Tax Code, is  
15 amended to read as follows:

16 Sec. 26.0441. ROLLBACK [~~TAX~~] RATE ADJUSTMENT FOR INDIGENT  
17 HEALTH CARE.

18 SECTION 14. Sections 26.0441(a)-(c), Tax Code, are amended  
19 to read as follows:

20 (a) In the first tax year in which a taxing unit adopts a tax  
21 rate after January 1, 2000, and in which the enhanced minimum  
22 eligibility standards for indigent health care established under  
23 Section 61.006, Health and Safety Code, apply to the taxing unit,  
24 the adjustment for indigent health care under Section 26.031(c) is  
25 enhanced indigent health care expenditures, divided by the current  
26 year total taxable value for rollback calculation. [~~effective~~  
27 ~~maintenance and operations rate for the taxing unit is increased by~~

1 ~~the rate computed according to the following formula:~~

2 ~~Amount of Increase = Enhanced Indigent Health Care Expenditures /~~  
3 ~~(Current Total Value - New Property Value)]~~

4 (b) In each subsequent tax year, if the taxing unit's  
5 enhanced indigent health care expenses exceed the amount of those  
6 expenses for the preceding year, the adjustment for indigent health  
7 care under Section 26.031(c) is the current year's enhanced  
8 indigent health care expenditures minus the prior year's enhanced  
9 indigent health care expenditures, divided by the current year  
10 total taxable value for rollback calculation. [effective  
11 ~~maintenance and operations rate for the taxing unit is increased by~~  
12 ~~the rate computed according to the following formula:~~

13 ~~Amount of Increase = (Current Tax Year's Enhanced Indigent Health~~  
14 ~~Care Expenditures - Preceding Tax Year's Indigent Health Care~~  
15 ~~Expenditures) / (Current Total Value - New Property Value)]~~

16 (c) The taxing unit shall include a notice of the increase  
17 in its rollback tax [~~effective maintenance and operations~~] rate as  
18 a result of the adjustment for indigent health care [~~provided by~~  
19 ~~this section~~], including a brief description and the amount of the  
20 enhanced indigent health care expenditures, in the information  
21 published under Section 26.04(e) and, if applicable, Section  
22 26.06(b).

23 SECTION 15. Section 26.05, Tax Code, is amended by adding  
24 subsections (a-1), (d-1), (d-2) and (e-1) to read as follows:

25 (a-1) If the amount of additional sales and use tax revenue  
26 for a taxing unit calculated under Section 26.041 exceeds the  
27 amount published under Section 26.04(e)(3)(C), then for purposes of

1 determining the rate under subsection (a)(2), the amount needed to  
2 fund maintenance and operation expenditures shall be reduced by the  
3 amount by which additional sales and use tax revenue calculated  
4 under Section 26.041 exceeds the amount published under Section  
5 26.04(e)(3)(C).

6 (d-1) The governing body of a taxing unit may not hold a  
7 public hearing on a proposed tax rate or a public meeting to adopt a  
8 tax rate until the 14th day after the date the officer or employee  
9 designated by the governing body of the unit to calculate the  
10 no-new-taxes rate and the rollback tax rate for the unit  
11 electronically submits to the comptroller the information  
12 described by Section 5.092(d).

13 (d-2) Notwithstanding Subsection (a), the governing body of  
14 a taxing unit other than a school district may not adopt a tax rate  
15 until:

16 (1) the comptroller has included the information for  
17 the current tax year specified by Section 5.092 in the  
18 comptroller's property tax database; and

19 (2) the chief appraiser of the appraisal district in  
20 which the taxing unit participates has delivered the notice  
21 required by Section 26.04(e-2).

22 (e-1) The governing body of a taxing unit that imposes an  
23 additional sales and use tax may not adopt a tax rate until the  
24 chief financial officer or the auditor for the unit submits to the  
25 governing body of the unit a written certification that the amount  
26 of additional sales and use tax revenue that will be used to pay  
27 debt service has been deducted from the total amount published

1 under Section 26.04(e)(3)(C) as required by Subsection (a)(1) of  
2 this section and that any additional sales and use tax revenue in  
3 excess of the total amount published under Section 26.04(e)(3)(C)  
4 has been deducted from the amount needed to fund maintenance and  
5 operation expenditures as required by Subsection (a-1) of this  
6 section. The comptroller shall adopt rules governing the form of  
7 the certification required by this subsection and the manner in  
8 which it is required to be submitted.

9 SECTION 16. Section 26.065(b), Tax Code, is amended to read  
10 as follows:

11 (b) The taxing [~~If the taxing unit owns, operates, or~~  
12 ~~controls an Internet website, the~~] unit shall post notice of the  
13 public hearing on the Internet website owned, operated, or  
14 controlled by the unit continuously for at least seven days  
15 immediately before the public hearing on the proposed tax rate  
16 increase and at least seven days immediately before the date of the  
17 vote proposing the increase in the tax rate.

18 SECTION 17. Chapter 26, Tax Code, is amended by adding  
19 Section 26.17 to read as follows:

20 Sec. 26.17. POSTING OF TAX RATE AND BUDGET INFORMATION ON  
21 TAXING UNIT'S WEBSITE. Each taxing unit shall maintain an Internet  
22 website. In addition to posting any other information required by  
23 this title, each taxing unit shall post on the Internet website  
24 maintained by the taxing unit the following information in a format  
25 prescribed by the comptroller:

26 (1) the name of and official contact information for  
27 each member of the governing body of the taxing unit;

- 1           (2) the mailing address, e-mail address, and telephone  
2 number of the taxing unit;
- 3           (3) the taxing unit's budget for the preceding two  
4 years;
- 5           (4) the taxing unit's proposed or adopted budget for  
6 the current year;
- 7           (5) the change in the amount of the taxing unit's  
8 budget from the preceding year to the current year, by dollar amount  
9 and percentage;
- 10          (6) in the case of a taxing unit other than a school  
11 district, the amount of property tax revenue budgeted for  
12 maintenance and operations for:
- 13                   (A) the preceding two years; and  
14                   (B) the current year;
- 15          (7) in the case of a taxing unit other than a school  
16 district, the amount of property tax revenue budgeted for debt  
17 service for:
- 18                   (A) the preceding two years; and  
19                   (B) the current year;
- 20          (8) the tax rate for maintenance and operations  
21 adopted by the taxing unit for the preceding two years;
- 22          (9) the tax rate for debt service adopted by the taxing  
23 unit for the preceding two years;
- 24          (10) the tax rate for maintenance and operations  
25 proposed by the taxing unit for the current year;
- 26          (11) the tax rate for debt service proposed by the  
27 taxing unit for the current year; and



1           (12) the most recent financial audit of the taxing  
2 unit.

3           SECTION 18. (a) Not later than September 1, 2019 [~~January~~  
4 ~~1, 2018~~], the comptroller shall appoint the members of an advisory  
5 group to provide to the comptroller advice and assistance regarding  
6 the creation and operation of the property tax database required by  
7 Section 5.092, Tax Code, as added by this Act, and related matters.  
8 The advisory group is composed of 13 members as follows:

9           (1) one person who is an employee of the office of the  
10 lieutenant governor;

11           (2) one person who is an employee of the office of the  
12 speaker of the house of representatives;

13           (3) four persons who are county tax  
14 assessor-collectors;

15           (4) two persons who are assessors or collectors for  
16 taxing units but are not county tax assessor-collectors;

17           (5) two persons who are chief appraisers of appraisal  
18 districts;

19           (6) one person who is a financial officer or auditor of  
20 a municipality;

21           (7) one person who is a financial officer or auditor of  
22 a county; and

23           (8) one person who is a representative of water  
24 districts.

25           (b) The advisory group is abolished and this section expires  
26 December 31, 2021.

27           SECTION 19. The comptroller shall comply with Sections

1 5.07(f) and 5.092, Tax Code, as added by this Act, not later than  
2 June 1, 2020.

3 SECTION 20. The following provisions are repealed:

- 4 (1) Section 26.03, Tax Code;
- 5 (2) Section 26.04(d), Tax Code;
- 6 (3) Sections 26.041(a), (b), (c) and (e), Tax Code;
- 7 (4) Section 26.045, Tax Code;

8 SECTION 21. (a) Except as provided by Subsections (b), (c)  
9 and (d) of this section, this Act takes effect January 1, 2018.

10 (b) The following provisions take effect September 1, 2017:

- 11 (1) Section 5.091, Tax Code, as amended by this Act;
- 12 (2) Section 26.17, Tax Code, as added by this Act;
- 13 (3) Section 18 of this Act; and
- 14 (4) Section 26.065(b), Tax Code, as amended by this

15 Act.

16 (c) The following provisions take effect September 1, 2019:

- 17 (1) Section 5.07(f), Tax Code, as added by this Act;
- 18 and
- 19 (2) Section 5.092, Tax Code, as added by this Act.

20 (d) The following provisions take effect January 1, 2020:

- 21 (1) Sections 25.19(b) and (i), Tax Code, as amended by  
22 this Act;
- 23 (2) Sections 26.04(d-1) and (e-2), Tax Code, as added  
24 by this Act;
- 25 (3) Section 26.04(g), Tax Code, as amended by this  
26 Act; and
- 27 (4) Sections 26.05(d-1) and (d-2), Tax Code, as added

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1 by this Act.