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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Tinderholt

1 Amend C.S.H.B. No. 2 (house committee printing) as follows:

2 (1) On page 95, line 7, between "Subsections" and "(e)",  
3 insert "(a)".

4 (2) On page 95, between lines 8 and 9, insert the following:

5 (a) On receipt of the request and deposit under Section  
6 41A.05, the comptroller shall:

7 (1) appoint the next available ~~[an]~~ eligible  
8 arbitrator on a fixed rotation from the arbitrators ~~[who is]~~ listed  
9 in the comptroller's registry who are qualified to serve as an  
10 arbitrator for the type of property involved in the arbitration;  
11 and

12 (2) send notice to the appointed arbitrator requesting  
13 the individual to conduct the hearing on the arbitration.

14 (3) On page 95, strike lines 18 through 20, and substitute  
15 the following:

16 (1) represented the [a] person that brought the appeal  
17 or an owner of the property that is the subject of the appeal for  
18 compensation in a proceeding under this title ~~[in the appraisal~~  
19 ~~district in which the property that is the subject of the appeal is~~  
20 ~~located];~~

21 (4) On page 96, strike lines 18 and 19 and substitute the  
22 following:

23 SECTION 57. Section 41A.09, Tax Code, is amended by  
24 amending Subsection (b) and adding Subsection (b-1) to read as  
25 follows:

26 (5) On page 97, between lines 6 and 7, insert the following:

27 (b-1) In making a determination of the appraised or market  
28 value of a property, as applicable, an arbitrator may not use the  
29 arbitrator's personal knowledge of market conditions. An

1 arbitrator may only consider evidence presented during the  
2 arbitration proceedings in determining the value of a property.

3 (6) Add the following appropriately numbered SECTIONS to  
4 the bill and renumber subsequent SECTIONS of the bill accordingly:

5 SECTION \_\_\_\_\_. Section 41A.13, Tax Code, is amended to read  
6 as follows:

7 Sec. 41A.13. RULES. (a) The comptroller may adopt rules  
8 necessary to implement and administer this chapter.

9 (b) The rules adopted by the comptroller under this section,  
10 and any rule, policy, or other guidance adopted by the comptroller,  
11 an appraisal review board, or an appraisal district for purposes of  
12 administering this chapter may not adversely affect a property  
13 owner's rights under this chapter because the property owner has  
14 engaged representation in the arbitration, including by treating a  
15 representative of a property owner differently from a property  
16 owner under the rule, policy, or guidance.

17 SECTION \_\_\_\_\_. Section 42.01, Tax Code, is amended by adding  
18 Subsection (c) to read as follows:

19 (c) A rule, policy, or other guidance adopted by the  
20 comptroller, an appraisal review board, or an appraisal district  
21 related to an appeal under this chapter may not adversely affect a  
22 property owner's rights under this chapter because the property  
23 owner has engaged representation in the appeal, including by  
24 treating a representative of a property owner differently from a  
25 property owner under the rule, policy, or guidance.