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By:  Krause H.B. No. 1333

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the ad valorem tax system.

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

SECTION 1.  Section 1.07(a), Tax Code, is amended to read as follows:

(a)  An official or agency required by this title to deliver a notice to a property owner may deliver the notice by regular first-class mail, with postage prepaid, unless this section or another provision of this title requires or authorizes a different method of delivery or the parties agree that the notice must be delivered as provided by Section 1.085 or 1.086.

SECTION 2.  Chapter 1, Tax Code, is amended by adding Section 1.086 to read as follows:

Sec. 1.086.  DELIVERY OF CERTAIN NOTICES BY E-MAIL. (a) On the written request of the owner of a residential property that is occupied by the owner as the owner's principal residence, the chief appraiser of the appraisal district in which the property is located shall send each notice required by this title related to the following to the e-mail address of the owner:

(1)  a change in value of the property; or

(2)  the grant, denial, cancellation, or other change in the status of an exemption or exemption application applicable to the property.

(b)  A property owner must provide the e-mail address to which the chief appraiser must send the notices described by Subsection (a) in a request made under that subsection.

(c)  A chief appraiser who delivers a notice electronically under this section is not required to mail the same notice to the property owner.

(d)  A request made under this section remains in effect until revoked by the property owner in a written revocation filed with the chief appraiser.

SECTION 3.  Section 6.03(a), Tax Code, is amended to read as follows:

(a)  The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual [~~who~~] is ineligible [~~otherwise eligible~~] to serve on the board if the individual is an officer or employee [~~is not ineligible because of membership on the governing body of a taxing unit. An employee~~] of a taxing unit that participates in the district [~~is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district~~].

SECTION 4.  Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.054 to read as follows:

Sec. 6.054.  RESTRICTION ON EMPLOYMENT BY APPRAISAL DISTRICT. An individual may not be employed by an appraisal district if the individual is:

(1)  an officer of a taxing unit that participates in the appraisal district; or

(2)  an employee of a taxing unit that participates in the appraisal district.

SECTION 5.  Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.16 to read as follows:

Sec. 6.16.  RESIDENTIAL PROPERTY OWNER ASSISTANCE. (a) The chief appraiser of each appraisal district shall maintain a list of the following individuals who have designated themselves as an individual who will provide free assistance to an owner of residential property that is occupied by the owner as the owner's principal residence:

(1)  a real estate broker or sales agent licensed under Chapter 1101, Occupations Code;

(2)  a real estate appraiser licensed or certified under Chapter 1103, Occupations Code; or

(3)  a property tax consultant registered under Chapter 1152, Occupations Code.

(b)  On the request of an owner described by Subsection (a), the chief appraiser shall provide to the owner a copy of the list maintained under this section.

SECTION 6.  Section 23.01(b), Tax Code, is amended to read as follows:

(b)  The market value of property shall be determined by the application of generally accepted appraisal methods and techniques. If the appraisal district determines the appraised value of a property using mass appraisal standards, the mass appraisal standards must comply with the Uniform Standards of Professional Appraisal Practice. The same or similar appraisal methods and techniques shall be used in appraising the same or similar kinds of property.  However, each property shall be appraised based upon the individual characteristics that affect the property's market value, including cosmetic defects of the property, and all available evidence that is specific to the value of the property shall be taken into account in determining the property's market value.

SECTION 7.  Chapter 25, Tax Code, is amended by adding Sections 25.192 and 25.193 to read as follows:

Sec. 25.192.  NOTICE OF RESIDENCE HOMESTEAD EXEMPTION ELIGIBILITY. (a) This section applies only to residential property that has not qualified for a residence homestead exemption in the current tax year.

(b)  If the records of the appraisal district indicate that the address of the property is also the address of the owner of the property, the chief appraiser must send to the property owner a notice that contains:

(1)  the following statement in boldfaced 18-point type at the top of the first page of the notice: "NOTICE: A residence homestead exemption from ad valorem taxation is NOT currently being allowed on the property listed below. However, our records show that this property may qualify for a residence homestead exemption, which will reduce your taxes.";

(2)  following the statement described by Subdivision (1), the following statement in 12-point type: "According to the records of the appraisal district, the property described in this notice may be your primary residence and may qualify for a residence homestead exemption from ad valorem taxation. If the property is your home and you occupy it as your primary residence, the property likely qualifies for one or more residence homestead exemptions, which will reduce the amount of taxes imposed on the property. The form needed to apply for a residence homestead exemption is enclosed. Although the form may state that the deadline for filing an application for a residence homestead exemption is April 30, a late application for a residence homestead exemption will be accepted if filed before February 1, (insert year application must be filed). There is no fee or charge for filing an application or a late application for a residence homestead exemption."; and

(3)  following the statement described by Subdivision (2), the address to which the notice is sent.

(c)  The notice required by this section must be accompanied by an application form for a residence homestead exemption.

(d)  The notice required by this section must be sent separately from any other notice sent to the property owner by the chief appraiser.

Sec. 25.193.  NOTICE OF CERTAIN CANCELED OR REDUCED EXEMPTIONS. (a) By April 1 or as soon thereafter as practicable if the property is a single-family residence that qualifies for an exemption under Section 11.13, or by May 1 or as soon thereafter as practicable in connection with residential property that does not qualify for an exemption under Section 11.13, the chief appraiser shall deliver a clear and understandable written notice to a property owner if an exemption or partial exemption that was approved for the preceding year was canceled or reduced for the current year.

(b)  The notice required by this section must be sent regardless of whether the information was also included in a notice under Section 25.19 and must be sent separately from any other notice sent to the property owner by the chief appraiser.

SECTION 8.  Section 25.19(b-2), Tax Code, is repealed.

SECTION 9.  (a) Section 6.03(a), Tax Code, as amended by this Act, does not affect the right of a person serving on the board of directors of an appraisal district on the effective date of this Act to complete the person's term on the board.

(b)  Section 23.01(b), Tax Code, as amended by this Act, applies only to the appraisal of property for ad valorem tax purposes for a tax year beginning on or after the effective date of this Act.

(c)  Section 25.19, Tax Code, as amended by this Act, and Sections 25.192 and 25.193, Tax Code, as added by this Act, apply only to a notice for a tax year beginning on or after the effective date of this Act. A notice for a tax year beginning before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 10.  This Act takes effect January 1, 2020.