By:  Campbell, et al. S.B. No. 196

(Miller)

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty.

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

SECTION 1.  The heading to Section 11.133, Tax Code, is amended to read as follows:

Sec. 11.133.  RESIDENCE HOMESTEAD OF SURVIVING SPOUSE OF MEMBER OF ARMED SERVICES KILLED IN LINE OF DUTY [~~ACTION~~].

SECTION 2.  Section 11.133(b), Tax Code, is amended to read as follows:

(b)  The surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty [~~in action~~] is entitled to an exemption from taxation of the total appraised value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 3.  Section 11.431(a), Tax Code, is amended to read as follows:

(a)  The chief appraiser shall accept and approve or deny an application for a residence homestead exemption, including an exemption under Section 11.131 or 11.132 for the residence homestead of a disabled veteran or the surviving spouse of a disabled veteran, an exemption under Section 11.133 for the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty [~~in action~~], or an exemption under Section 11.134 for the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty, after the deadline for filing it has passed if it is filed not later than two years after the delinquency date for the taxes on the homestead.

SECTION 4.  Section 11.133, Tax Code, as amended by this Act, applies only to a tax year beginning on or after January 1, 2020.

SECTION 5.  This Act takes effect January 1, 2020, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.