

By: Bonnen of Galveston, Guillen

H.B. No. 1885

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the waiver of penalties and interest if an error by a
3 mortgagee results in failure to pay an ad valorem tax.

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

5 SECTION 1. Section 33.011, Tax Code, is amended by amending
6 Subsection (d) and adding Subsection (k) to read as follows:

7 (d) A request for a waiver of penalties and interest under
8 Subsection (a)(1) or (3), (b), (h), ~~(j)~~, or (k) must be made
9 before the 181st day after the delinquency date. A request for a
10 waiver of penalties and interest under Subsection (a)(2) must be
11 made before the first anniversary of the date the religious
12 organization acquires the property. A request for a waiver of
13 penalties and interest under Subsection (i) must be made before the
14 181st day after the date the property owner making the request
15 receives notice of the delinquent tax that satisfies the
16 requirements of Section 33.04(c). To be valid, a waiver of
17 penalties or interest under this section must be requested in
18 writing. If a written request for a waiver is not timely made, the
19 governing body of a taxing unit may not waive any penalties or
20 interest under this section.

21 (k) The governing body of a taxing unit may waive penalties
22 and interest on a delinquent tax if:

23 (1) the property for which the tax is owed is subject
24 to a mortgage that does not require the owner of the property to

1 fund an escrow account for the payment of the taxes on the property;

2 (2) the tax bill was mailed or delivered by electronic
3 means to the mortgagee of the property, but the mortgagee failed to
4 mail a copy of the bill to the owner of the property as required by
5 Section 31.01(j); and

6 (3) the taxpayer paid the tax not later than the 21st
7 day after the date the taxpayer knew or should have known of the
8 delinquency.

9 SECTION 2. The change in law made by this Act applies only
10 to penalties and interest on an ad valorem tax that becomes
11 delinquent on or after the effective date of this Act.

12 SECTION 3. This Act takes effect January 1, 2020.