

By: Wray

H.B. No. 2179

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the grounds for imposing certain sanctions on certain
3 persons for engaging in certain conduct in connection with the
4 appointment of members of or the functions of appraisal review
5 boards.

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

7 SECTION 1. Sections 6.41(f) and (i), Tax Code, are amended
8 to read as follows:

9 (f) A member of the board may be removed from the board by a
10 majority vote of the appraisal district board of directors, or by
11 the local administrative district judge or the judge's designee, as
12 applicable, that appointed the member. Grounds for removal are:

13 (1) a violation of Section 6.412, 6.413, 41.66(f), or
14 41.69;

15 (2) good cause relating to the attendance of members
16 at called meetings of the board as established by written policy
17 adopted by a majority of the appraisal district board of directors;
18 or

19 (3) ~~clear and convincing~~ evidence of repeated bias
20 or misconduct.

21 (i) This subsection applies only to an appraisal district
22 described by Subsection (d-1). A chief appraiser or another
23 employee or agent of the appraisal district, a member of the
24 appraisal review board for the appraisal district, a member of the

1 board of directors of the appraisal district, a property tax
2 consultant, or an agent of a property owner commits an offense if
3 the person communicates with the local administrative district
4 judge regarding the appointment of appraisal review board members.
5 This subsection does not apply to:

6 (1) a communication between a member of the appraisal
7 review board and the local administrative district judge regarding
8 the member's reappointment to the board;

9 (2) a communication between the taxpayer liaison
10 officer for the appraisal district and the local administrative
11 district judge in the course of the performance of the officer's
12 clerical duties so long as the officer does not offer an opinion or
13 comment regarding the appointment of appraisal review board
14 members;

15 (3) a communication between a chief appraiser or
16 another employee or agent of the appraisal district, a member of the
17 appraisal review board for the appraisal district, or a member of
18 the board of directors of the appraisal district and the local
19 administrative district judge regarding information relating to or
20 described by Subsection (d-1), (d-5), or (f) of this section or
21 Section [411.1296](#), Government Code; [~~or~~]

22 (4) a communication between a property tax consultant
23 or a property owner or an agent of the property owner and the
24 taxpayer liaison officer for the appraisal district regarding
25 information relating to or described by Subsection (f). The
26 taxpayer liaison officer for the appraisal district shall report
27 the contents of the communication relating to or described by

1 Subsection (f) to the local administrative district judge; or
2 (5) a communication between a property tax consultant
3 or a property owner or an agent of the property owner and the local
4 administrative district judge regarding information relating to or
5 described by Subsection (f).

6 SECTION 2. (a) Section 6.41(f), Tax Code, as amended by this
7 Act, applies only to a proceeding to remove an appraisal review
8 board member that begins on or after the effective date of this Act.
9 A proceeding to remove an appraisal review board member that began
10 before the effective date of this Act is governed by that subsection
11 as it existed on the date the proceeding to remove the board member
12 began, and the former law is continued in effect for that purpose.

13 (b) The change in law made by this Act to Section 6.41(i),
14 Tax Code, applies only to an offense committed under that
15 subsection before, on, or after the effective date of this Act,
16 except that a final conviction for an offense committed under that
17 subsection before the effective date of this Act is unaffected by
18 this Act.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2019.