

By: Darby

H.B. No. 3822

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the calculation of the ad valorem taxes imposed on  
3 property for the year in which the property is acquired by a  
4 governmental entity.

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

6 SECTION 1. Section 26.11(a), Tax Code, is amended to read as  
7 follows:

8 (a) If the federal government, the state, or a political  
9 subdivision of the state acquires the right to possession of  
10 taxable property under a court order issued in condemnation  
11 proceedings, takes possession of taxable property under a  
12 possession and use agreement or under Section 21.021, Property  
13 Code, or acquires title to taxable property, the amount of the tax  
14 due on the property is calculated by multiplying the amount of taxes  
15 imposed on the property for the entire year as determined as  
16 provided by Section 26.09 of this code by a fraction, the  
17 denominator of which is 365 and the numerator of which is the number  
18 of days that elapsed prior to the date of the conveyance, the  
19 effective date of the possession and use agreement, the date the  
20 entity took possession under Section 21.021, Property Code, or the  
21 date of the order granting the right of possession, as applicable.

22 SECTION 2. This Act applies only to a possession and use  
23 agreement entered into or an award made under Section 21.021,  
24 Property Code, on or after the effective date of this Act. A

1 possession and use agreement entered into or an award made under  
2 Section 21.021, Property Code, before the effective date of this  
3 Act is governed by the law applicable to the agreement or award  
4 immediately before the effective date of this Act, and that law is  
5 continued in effect for that purpose.

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