

By: Dutton

H.J.R. No. 116

A JOINT RESOLUTION

1 proposing a constitutional amendment to lengthen the period for
2 redeeming the residence homestead of an elderly person sold at an ad
3 valorem tax sale.

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

5 SECTION 1. Section 13(c), Article VIII, Texas Constitution,
6 is amended to read as follows:

7 (c) The former owner of a residence homestead, land
8 designated for agricultural use, or a mineral interest sold for
9 unpaid taxes has [~~shall within two years from date of the filing for~~
10 ~~record of the Purchaser's Deed have~~] the right to redeem the
11 property within two years from the date of filing of the purchaser's
12 deed or, if the property was the residence homestead of a person who
13 is 65 years of age or older, within four years from the date of
14 filing of the purchaser's deed on the following basis:

15 (1) Within the first year of the redemption period,
16 upon the payment of the amount of money paid for the property,
17 including the Tax Deed Recording Fee and all taxes, penalties,
18 interest, and costs paid plus an amount not exceeding 25 percent of
19 the aggregate total; and

20 (2) Within the remainder [~~last year~~] of the redemption
21 period, upon the payment of the amount of money paid for the
22 property, including the Tax Deed Recording Fee and all taxes,
23 penalties, interest, and costs paid plus an amount not exceeding 50
24 percent of the aggregate total.

1 SECTION 2. The following temporary provision is added to
2 the Texas Constitution:

3 TEMPORARY PROVISION. (a) This temporary provision applies
4 to the constitutional amendment proposed by the 86th Legislature,
5 Regular Session, 2019, to lengthen the period for redeeming the
6 residence homestead of an elderly person sold at an ad valorem tax
7 sale.

8 (b) The amendment to Section 13(c), Article VIII, of this
9 constitution takes effect January 1, 2020.

10 (c) The amendment applies only to the redemption of real
11 property sold at a tax sale for which the purchaser's deed is filed
12 for record on or after the effective date of the amendment. The
13 redemption of real property sold at a tax sale for which the
14 purchaser's deed is filed for record before the effective date of
15 the amendment is governed by the former law, and the former law is
16 continued in effect for that purpose.

17 (d) This temporary provision expires January 1, 2022.

18 SECTION 3. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held November 5, 2019.
20 The ballot shall be printed to permit voting for or against the
21 proposition: "The constitutional amendment to lengthen the period
22 for redeeming the residence homestead of a person 65 years of age or
23 older sold at an ad valorem tax sale."