

By: Creighton

S.B. No. 453

A BILL TO BE ENTITLED

AN ACT

relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster.

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

SECTION 1. Section 23.02, Tax Code, is amended to read as follows:

Sec. 23.02. REAPPRAISAL OF PROPERTY DAMAGED IN DISASTER AREA. (a) The chief appraiser of an appraisal district that appraises property for ~~[governing body of]~~ a taxing unit that is located partly or entirely inside an area declared to be a disaster area by the governor shall reappraise ~~[may authorize reappraisal of]~~ all property damaged in the disaster at its market value immediately after the disaster.

(a-1) Notwithstanding Subsection (a), a property owner may refuse to have the owner's property reappraised under this section.

(b) The chief appraiser ~~[If a taxing unit authorizes a reappraisal pursuant to this section, the appraisal office]~~ shall complete the reappraisal not later than the 45th day after the date the governor declares the area to be a disaster area ~~[as soon as practicable]~~.

(b-1) The chief appraiser ~~[appraisal office]~~ shall include on the appraisal records, in addition to other information required or authorized by law:

(1) the date of the disaster; and

1 (2) the appraised value of the property after the
2 disaster [~~and~~

3 ~~[(3) if the reappraisal is not authorized by all~~
4 ~~taxing units in which the property is located, an indication of the~~
5 ~~taxing units to which the reappraisal applies].~~

6 (c) A taxing unit for which property is reappraised [~~that~~
7 ~~authorizes a reappraisal~~] under this section must pay the appraisal
8 district all the costs of making the reappraisal. If property in
9 the same territory is reappraised for two or more taxing units
10 [~~provide for the reappraisal in the same territory~~], each taxing
11 unit shall share the costs of the reappraisal in that territory in
12 the proportion the total dollar amount of taxes each taxing unit
13 imposed in that territory in the preceding year bears to the total
14 dollar amount of taxes all taxing units [~~providing for reappraisal~~
15 ~~of that territory~~] imposed in that territory in the preceding year.

16 (d) If property damaged in a disaster is reappraised for a
17 taxing unit as provided by this section, the governing body of the
18 taxing unit shall provide for prorating the taxes on the property
19 for the year in which the disaster occurred. The [~~If the taxes are~~]
20 prorated[~~and~~] taxes due on the property are determined as follows:
21 the taxes on the property based on its value on January 1 of that
22 year are multiplied by a fraction, the denominator of which is 365
23 and the numerator of which is the number of days before the date the
24 disaster occurred; the taxes on the property based on its
25 reappraised value are multiplied by a fraction, the denominator of
26 which is 365 and the numerator of which is the number of days,
27 including the date the disaster occurred, remaining in the year;

1 and the total of the two amounts is the amount of taxes on the
2 property for the year.

3 (e) The comptroller may adopt rules to implement and
4 administer this section.

5 SECTION 2. The change in law made by this Act applies only
6 to the reappraisal of property located in an area that is declared
7 to be a disaster area by the governor on or after the effective date
8 of this Act. The reappraisal of property located in an area that
9 was declared to be a disaster area by the governor before the
10 effective date of this Act is governed by the law as it existed
11 immediately before the effective date of this Act, and that law is
12 continued in effect for that purpose.

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