

By: Alvarado

S.B. No. 492

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the application of the limit on appraised value of a  
3 residence homestead for ad valorem tax purposes to an improvement  
4 that is a replacement structure for a structure that was rendered  
5 uninhabitable or unusable by a casualty or by wind or water damage.

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

7 SECTION 1. Section 23.23(g), Tax Code, is amended to read as  
8 follows:

9 (g) In this subsection, "disaster recovery program" means a  
10 ~~[the]~~ disaster recovery program ~~[administered by the General Land~~  
11 ~~Office that is]~~ funded with community development block grant  
12 disaster recovery money authorized by federal law ~~[the Consolidated~~  
13 ~~Security, Disaster Assistance, and Continuing Appropriations Act,~~  
14 ~~2009 (Pub. L. No. 110-329) and the Consolidated and Further~~  
15 ~~Continuing Appropriations Act, 2012 (Pub. L. No. 112-55)].~~

16 Notwithstanding Subsection (f)(2), and only to the extent necessary  
17 to satisfy the requirements of a ~~[the]~~ disaster recovery program, a  
18 replacement structure described by that subdivision is not  
19 considered to be a new improvement if to satisfy the requirements of  
20 the disaster recovery program it was necessary that:

21 (1) the square footage of the replacement structure  
22 exceed that of the replaced structure as that structure existed  
23 before the casualty or damage occurred; or

24 (2) the exterior of the replacement structure be of

1 higher quality construction and composition than that of the  
2 replaced structure.

3 SECTION 2. This Act applies only to the appraisal of a  
4 residence homestead for ad valorem tax purposes for a tax year that  
5 begins on or after the effective date of this Act.

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