

By: Lucio, Bettencourt

S.B. No. 812

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
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 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.