

By: Bettencourt

S.B. No. 1227

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the date for ordering or holding an election to ratify
3 the ad valorem tax rate of a school district; making conforming
4 changes.

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

6 SECTION 1. Section 11.4391(a), Tax Code, is amended to read
7 as follows:

8 (a) The chief appraiser shall accept and approve or deny an
9 application for an exemption for freeport goods under Section
10 11.251 after the deadline for filing it has passed if it is filed
11 not later than June 1 [~~15~~].

12 SECTION 2. Sections 22.23(a) and (b), Tax Code, are amended
13 to read as follows:

14 (a) Rendition statements and property reports must be
15 delivered to the chief appraiser after January 1 and not later than
16 April 1 [~~15~~], except as provided by Section 22.02.

17 (b) On written request by the property owner, the chief
18 appraiser shall extend a deadline for filing a rendition statement
19 or property report to a date not later than May 1 [~~15~~]. The chief
20 appraiser may further extend the deadline an additional 15 days
21 upon good cause shown in writing by the property owner.

22 SECTION 3. Sections 25.19(a) and (g), Tax Code, are amended
23 to read as follows:

24 (a) By April 15 [~~1~~] or as soon thereafter as practicable [~~if~~

1 ~~the property is a single-family residence that qualifies for an~~
2 ~~exemption under Section 11.13, or by May 1 or as soon thereafter as~~
3 ~~practicable in connection with any other property],~~ the chief
4 appraiser shall deliver a clear and understandable written notice
5 to a property owner of the appraised value of the property owner's
6 property if:

7 (1) the appraised value of the property is greater
8 than it was in the preceding year;

9 (2) the appraised value of the property is greater
10 than the value rendered by the property owner;

11 (3) the property was not on the appraisal roll in the
12 preceding year; or

13 (4) an exemption or partial exemption approved for the
14 property for the preceding year was canceled or reduced for the
15 current year.

16 (g) By April 15 [~~1~~] or as soon thereafter as practicable [~~if~~
17 ~~the property is a single-family residence that qualifies for an~~
18 ~~exemption under Section 11.13, or by May 1 or as soon thereafter as~~
19 ~~practicable in connection with any other property],~~ the chief
20 appraiser shall deliver a written notice to the owner of each
21 property not included in a notice required to be delivered under
22 Subsection (a), if the property was reappraised in the current tax
23 year, if the ownership of the property changed during the preceding
24 year, or if the property owner or the agent of a property owner
25 authorized under Section 1.111 makes a written request for the
26 notice. The chief appraiser shall separate real from personal
27 property and include in the notice for each property:

1 (1) the appraised value of the property in the
2 preceding year;

3 (2) the appraised value of the property for the
4 current year and the kind of each partial exemption, if any,
5 approved for the current year;

6 (3) a detailed explanation of the time and procedure
7 for protesting the value; and

8 (4) the date and place the appraisal review board will
9 begin hearing protests.

10 SECTION 4. Section [25.22\(a\)](#), Tax Code, is amended to read as
11 follows:

12 (a) By May 1 [~~15~~] or as soon thereafter as practicable, the
13 chief appraiser shall submit the completed appraisal records to the
14 appraisal review board for review and determination of protests.
15 However, the chief appraiser may not submit the records until the
16 chief appraiser has delivered the notices required by Sections
17 [11.45\(d\)](#) [~~Subsection (d) of Section 11.45~~], [23.44\(d\)](#) [~~Subsection~~
18 ~~(d) of Section 23.44~~], [23.57\(d\)](#) [~~Subsection (d) of Section 23.57~~],
19 [23.79\(d\)](#) [~~Subsection (d) of Section 23.79~~], [23.85\(d\)](#) [~~Subsection~~
20 ~~(d) of Section 23.85~~], [23.95\(d\)](#) [~~Subsection (d) of Section 23.95~~],
21 [23.9805\(d\)](#) [~~Subsection (d) of Section 23.9805~~], and [~~Section~~
22 [25.19](#)].

23 SECTION 5. Sections [26.01\(a\)](#) and (e), Tax Code, are amended
24 to read as follows:

25 (a) By July 10 [~~25~~], the chief appraiser shall prepare and
26 certify to the assessor for each taxing unit participating in the
27 district that part of the appraisal roll for the district that lists

1 the property taxable by the taxing unit. The part certified to the
2 assessor is the appraisal roll for the taxing unit. The chief
3 appraiser shall consult with the assessor for each taxing unit and
4 notify each taxing unit in writing by April 1 of the form in which
5 the roll will be provided to each taxing unit.

6 (e) Except as provided by Subsection (f), not later than May
7 15 [~~April 30~~], the chief appraiser shall prepare and certify to the
8 assessor for each county, municipality, and school district
9 participating in the appraisal district an estimate of the taxable
10 value of property in that taxing unit. The chief appraiser shall
11 assist each county, municipality, and school district in
12 determining values of property in that taxing unit for the taxing
13 unit's budgetary purposes.

14 SECTION 6. Sections 26.04(b) and (e), Tax Code, are amended
15 to read as follows:

16 (b) The assessor shall submit the appraisal roll for the
17 taxing unit showing the total appraised, assessed, and taxable
18 values of all property and the total taxable value of new property
19 to the governing body of the taxing unit by July 15 [~~August 1~~] or as
20 soon thereafter as practicable. By July 15 [~~August 1~~] or as soon
21 thereafter as practicable, the taxing unit's collector shall
22 certify [~~an estimate of~~] the anticipated collection rate for the
23 current year to the governing body. If the collector certified an
24 anticipated collection rate in the preceding year and the actual
25 collection rate in that year exceeded the anticipated rate, the
26 collector shall also certify the amount of debt taxes collected in
27 excess of the anticipated amount in the preceding year.

1 (e) By July 22 [~~August 7~~] or as soon thereafter as
2 practicable, the designated officer or employee shall submit the
3 rates to the governing body. By July 27, the designated officer or
4 employee [~~He~~] shall deliver by mail to each property owner in the
5 taxing unit or publish in a newspaper in the form prescribed by the
6 comptroller:

7 (1) the effective tax rate, the rollback tax rate, and
8 an explanation of how they were calculated;

9 (2) the estimated amount of interest and sinking fund
10 balances and the estimated amount of maintenance and operation or
11 general fund balances remaining at the end of the current fiscal
12 year that are not encumbered with or by corresponding existing debt
13 obligation;

14 (3) a schedule of the taxing unit's debt obligations
15 showing:

16 (A) the amount of principal and interest that
17 will be paid to service the taxing unit's debts in the next year
18 from property tax revenue, including payments of lawfully incurred
19 contractual obligations providing security for the payment of the
20 principal of and interest on bonds and other evidences of
21 indebtedness issued on behalf of the taxing unit by another
22 political subdivision and, if the taxing unit is created under
23 Section 52, Article III, or Section 59, Article XVI, Texas
24 Constitution, payments on debts that the taxing unit anticipates to
25 incur in the next calendar year;

26 (B) the amount by which taxes imposed for debt
27 are to be increased because of the taxing unit's anticipated

1 collection rate; and

2 (C) the total of the amounts listed in Paragraphs
3 (A)-(B), less any amount collected in excess of the previous year's
4 anticipated collections certified as provided in Subsection (b);

5 (4) the amount of additional sales and use tax revenue
6 anticipated in calculations under Section 26.041;

7 (5) a statement that the adoption of a tax rate equal
8 to the effective tax rate would result in an increase or decrease,
9 as applicable, in the amount of taxes imposed by the taxing unit as
10 compared to last year's levy, and the amount of the increase or
11 decrease;

12 (6) in the year that a taxing unit calculates an
13 adjustment under Subsection (i) or (j), a schedule that includes
14 the following elements:

15 (A) the name of the taxing unit discontinuing the
16 department, function, or activity;

17 (B) the amount of property tax revenue spent by
18 the taxing unit listed under Paragraph (A) to operate the
19 discontinued department, function, or activity in the 12 months
20 preceding the month in which the calculations required by this
21 chapter are made; and

22 (C) the name of the taxing unit that operates a
23 distinct department, function, or activity in all or a majority of
24 the territory of a taxing unit that has discontinued operating the
25 distinct department, function, or activity; and

26 (7) in the year following the year in which a taxing
27 unit raised its rollback tax rate as required by Subsection (j), a

1 schedule that includes the following elements:

2 (A) the amount of property tax revenue spent by
3 the taxing unit to operate the department, function, or activity
4 for which the taxing unit raised the rollback tax rate as required
5 by Subsection (j) for the 12 months preceding the month in which the
6 calculations required by this chapter are made; and

7 (B) the amount published by the taxing unit in
8 the preceding tax year under Subdivision (6)(B).

9 SECTION 7. Section 26.05(a), Tax Code, is amended to read as
10 follows:

11 (a) The governing body of each taxing unit [~~before the~~
12 ~~later of September 30 or the 60th day after the date the certified~~
13 ~~appraisal roll is received by the taxing unit,~~] shall adopt a tax
14 rate for the current tax year and shall notify the assessor for the
15 taxing unit of the rate adopted. The governing body must adopt a
16 tax rate before the later of September 30 or the 60th day after the
17 date the certified appraisal roll is received by the taxing unit,
18 except that the governing body must adopt a tax rate that exceeds
19 the rollback tax rate before August 15. The tax rate consists of
20 two components, each of which must be approved separately. The
21 components are:

22 (1) for a taxing unit other than a school district, the
23 rate that, if applied to the total taxable value, will impose the
24 total amount published under Section 26.04(e)(3)(C), less any
25 amount of additional sales and use tax revenue that will be used to
26 pay debt service, or, for a school district, the rate calculated
27 under Section 44.004(c)(5)(A)(ii)(b), Education Code; and

1 (2) the rate that, if applied to the total taxable
2 value, will impose the amount of taxes needed to fund maintenance
3 and operation expenditures of the taxing unit for the next year.

4 SECTION 8. Section 26.06(e), Tax Code, is amended to read as
5 follows:

6 (e) The meeting to vote on the tax increase may not be
7 earlier than the third day or later than the seventh [~~14th~~] day
8 after the date of the second public hearing. The meeting must be
9 held inside the boundaries of the taxing unit in a publicly owned
10 building or, if a suitable publicly owned building is not
11 available, in a suitable building to which the public normally has
12 access. If the governing body does not adopt a tax rate that
13 exceeds the lower of the rollback tax rate or the effective tax rate
14 by the seventh [~~14th~~] day, it must give a new notice under
15 Subsection (d) before it may adopt a rate that exceeds the lower of
16 the rollback tax rate or the effective tax rate.

17 SECTION 9. Section 26.08, Tax Code, is amended by amending
18 Subsection (b) and adding Subsection (b-1) to read as follows:

19 (b) Except as provided by Subsection (b-1), the [~~The~~]
20 governing body shall order that the election be held in the school
21 district on the uniform election date prescribed by [~~a date not less~~
22 ~~than 30 or more than 90 days after the day on which it adopted the~~
23 ~~tax rate.~~] Section 41.001, Election Code, that occurs in November
24 of the applicable tax year. The order calling the election may not
25 be issued later than August 15 [~~does not apply to the election~~
26 ~~unless a date specified by that section falls within the time~~
27 ~~permitted by this section]. At the election, the ballots shall be~~

1 prepared to permit voting for or against the
2 proposition: "Approving the ad valorem tax rate of \$_____ per \$100
3 valuation in (name of school district) for the current year, a rate
4 that is \$_____ higher per \$100 valuation than the school district
5 rollback tax rate, for the purpose of (description of purpose of
6 increase)." The ballot proposition must include the adopted tax
7 rate and the difference between that rate and the rollback tax rate
8 in the appropriate places.

9 (b-1) Notwithstanding Section 41.0011(a), Election Code, an
10 emergency election under Section 41.0011 of that code at which a
11 proposition described by Subsection (b) of this section is
12 submitted to the voters shall be held on any uniform election date.

13 SECTION 10. Section 41.12(a), Tax Code, is amended to read
14 as follows:

15 (a) By July 5 [~~20~~], the appraisal review board shall:

16 (1) hear and determine all or substantially all timely
17 filed protests;

18 (2) determine all timely filed challenges;

19 (3) submit a list of its approved changes in the
20 records to the chief appraiser; and

21 (4) approve the records.

22 SECTION 11. Section 22.23(c), Tax Code, is repealed.

23 SECTION 12. The changes in law made by this Act apply to the
24 ad valorem tax rate of a taxing unit beginning with the 2020 tax
25 year.

26 SECTION 13. Sections 11.4391(a) and 22.23(a) and (b), Tax
27 Code, as amended by this Act, apply only to ad valorem taxes imposed

1 for a tax year beginning on or after January 1, 2020.

2 SECTION 14. (a) Not later than the 30th day after the date
3 this section takes effect, the comptroller of public accounts shall
4 mail a written notice to each appraisal district and the assessor
5 for each taxing unit in this state of any change made by this Act to
6 the deadline for complying with a requirement, duty, or function of
7 an appraisal district or taxing unit.

8 (b) This section takes effect immediately if this Act
9 receives a vote of two-thirds of all the members elected to each
10 house, as provided by Section 39, Article III, Texas Constitution.
11 If this Act does not receive the vote necessary for immediate
12 effect, this section takes effect on the 91st day after the last day
13 of the legislative session.

14 SECTION 15. Except as otherwise provided by this Act, this
15 Act takes effect January 1, 2020.