

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 19, 2019**

**TO:** Honorable Dustin Burrows, Chair, House Committee on Ways & Means

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB768** by Davis, Sarah (Relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster.), **As Introduced**

**Passage of the bill would require, rather than permit, the reappraisal of property in a disaster area at its market value immediately after the disaster. As a result, taxable property values could be reduced and the related costs to the Foundation School Fund could be increased through the operation of the school finance formulas.**

The bill would amend Chapter 23 of the Tax Code, regarding property tax appraisal methods and procedures, to require a chief appraiser of an appraisal district that is in a disaster area declared by the Governor to reappraise all property that the Federal Emergency Management Agency estimates to have sustained five percent or greater damage as a result of the disaster. Current law permits a taxing unit in a disaster area to authorize such reappraisal. A property owner would be able to refuse a reappraisal. The bill sets forth a timeline in which the chief appraiser would have to complete the reappraisal. The bill would allow the Comptroller to adopt rules to implement and administer the reappraisal provisions. The bill would make conforming changes. The reappraisal of property located in an area that was declared to be a disaster area by the Governor before the bill's effective date would be governed by the law in effect immediately before the effective date.

The bill's provision that would require, rather than permit, the reappraisal of property in a disaster area at its market value immediately after the disaster would create a cost to local taxing units and to the state through the school funding formula. The amount of value loss caused by future disasters is unknown; consequently, the cost of the bill cannot be estimated.

The bill would take effect immediately upon enactment, assuming it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2019.

**Local Government Impact**

Passage of the bill would require, rather than permit, the reappraisal of property in a disaster area at its market value immediately after the disaster. As a result, taxable property values and the related ad valorem tax revenue for units of local government could be reduced.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** WP, KK, SD, SJS