

## **BILL ANALYSIS**

C.S.H.B. 1090  
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Ways & Means  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, when taxable real property is erroneously omitted from the appraisal roll, the chief appraiser has a five-year window in which to discover and fix the omission. When this happens, back taxes, penalties, and interest are added, which can cause extreme financial burden for the taxpayer. It has been suggested that shortening the window in which the chief appraiser may look back on prior appraisal rolls and assess back taxes would help to ease this financial burden. C.S.H.B. 1090 seeks to shorten this window to three years, which aligns with the requirement to reappraise property at least once every three years.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1090 amends the Tax Code, as follows, with respect to the required appraisal and subsequent entry in the appraisal roll of property that was erroneously omitted from an appraisal roll in a previous year:

- to clarify that a year means a tax year for purposes of that requirement; and
- to shorten from five years to three years the window in which the discovery that real property was so omitted triggers the requirement for the chief appraiser to do the following:
  - appraise the property as of January 1 of each year that the property was omitted; and
  - enter the property and its appraised value in the appraisal records.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1090 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions of the original that changed the window in which the discovery that personal property was omitted from an appraisal roll triggers required appraisal of the property for each tax year that it was omitted and entry in the appraisal records.