

BILL ANALYSIS

H.B. 3322
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Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In Texas, property owners may protest the appraised value of their property before an appraisal review board. While taxpayers have access to some protections that ensure fair and unbiased hearings, there are concerns that taxpayers are unable to participate in the appraisal review board selection process. H.B. 3322 seeks to address this issue by providing for the selection and administration of an appraisal review board in certain counties.

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

H.B. 3322 amends the Tax Code to establish an elected appraisal review board (ARB) for an appraisal district in a county that has a population of more than 400,000 and is adjacent to a county with a population of more than 3.3 million and no other counties with a population of more than 300,000. The bill exempts the ARB from statutory provisions governing the establishment of ARBs and sets out provisions relating to the election and two-year terms of board members, eligibility for board membership, the process to fill a board vacancy, and the grounds for removal of board members. The bill requires the ARB by resolution to select a chairman and a secretary from among the board's members and establishes that the board is encouraged to select as chairman a member of the board, if any, who has a background in law and property appraisal. Effective January 1, 2022, the bill does the following:

- requires the ARB members to be elected beginning with the general election conducted in 2022 and to take office January 1, 2023;
- establishes that the change in the manner of the selection of ARB members does not affect the selection of members who serve on the board before January 1, 2023;
- sets the term of an ARB member in an appraisal district established for a county under the bill serving on December 31, 2022, to expire on January 1, 2023.

H.B. 3322 requires a candidate for the office of member of the ARB to file an application for a place on the ballot with the county judge accompanied by a filing fee of \$250, which must be deposited in the county treasury to the credit of the county general fund. The bill establishes that Election Code provisions relating to a candidate for office of a political subdivision other than a county or city apply to such a candidate. These provisions take effect January 1, 2022.

H.B. 3322 authorizes the ARB, by resolution of a majority of the members, to provide for a

number of auxiliary ARB members that the board considers appropriate to hear taxpayer protests before the ARB and to assist the board in performing its duties. The bill requires the ARB to prepare a list of names of potential auxiliary board members who meet the qualifications for appointment as an auxiliary board member and to submit the list to the commissioners court of the county in which the appraisal district is established. The bill sets out provisions relating to eligibility requirements and the process for filling a vacancy for auxiliary board members. Effective January 1, 2022, the bill does the following:

- authorizes the auxiliary ARB members to be appointed by a commissioners court on or after January 1, 2023;
- establishes that the change in the manner of selection for auxiliary ARB members does not affect the selection of those members serving before January 1, 2023; and
- sets the term of an ARB auxiliary member in an appraisal district established for a county under the bill serving on December 31, 2022, to expire on January 1, 2023.

H.B. 3322 requires the ARB instead of the appraisal district board of directors to adopt and implement a policy concerning the temporary replacement of an ARB member who has communicated with another person concerning certain prohibited matters.

EFFECTIVE DATE

Except as otherwise provided, January 1, 2023.