

BILL ANALYSIS

S.B. 1854
By: Powell
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In Texas, taxpayers may postpone paying current and delinquent property taxes on their homes by signing a tax deferral affidavit at the county appraisal district office if the taxpayer meets certain eligibility requirements relating to age, disability, or disabled veteran status. However, once the affidavit is on file, taxes are deferred as long as the owner continues to own and live in the home but continue to accumulate interest each year the taxes are deferred. There have been calls to ensure additional protections for these taxpayers during certain appeals of an appraisal review board order. S.B. 1854 seeks to address this issue by providing an exception to the requirement to pay certain property taxes pending an appeal.

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

S.B. 1854 amends the Tax Code to except a property owner who appeals an appraisal review board order through binding arbitration from the requirement to pay the amount of taxes due on the portion of the taxable value of the applicable property that is not in dispute if the following conditions are met:

- the property owner has elected to defer the collection of taxes on the property subject to the appeal;
- the deferral is still in effect; and
- the property is an appreciating residence homestead or a residence homestead of a person 65 years of age or older, a disabled person, or a qualifying disabled veteran or surviving spouse or child of the veteran.

The bill establishes that taxes are not considered delinquent on property subject to such an appeal if the same conditions apply.

EFFECTIVE DATE

September 1, 2021.