87R2577 SMH-D

By:  J. Johnson of Harris H.J.R. No. 88

A JOINT RESOLUTION

proposing a constitutional amendment to exempt from ad valorem taxation the total market value of the residence homesteads of certain elderly persons and their surviving spouses.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 1-b, Article VIII, Texas Constitution, is amended by adding Subsection (t) to read as follows:

(t)  A person is entitled to an exemption from ad valorem taxation of the total market value of the person's residence homestead if the person is 80 years of age or older and the person has received an exemption under this section for the residence homestead for at least the preceding 10 years. The surviving spouse of a person who received an exemption under this subsection for the residence homestead of a person 80 years of age or older is entitled to an exemption from ad valorem taxation of the total market value of the same property if the deceased spouse died in a year in which the deceased spouse received the exemption, the surviving spouse was 55 years of age or older when the deceased spouse died, and the property was the residence homestead of the surviving spouse when the deceased spouse died and remains the residence homestead of the surviving spouse. Where ad valorem tax of a political subdivision has previously been pledged for the payment of debt, the taxing officers of the political subdivision may continue to levy and collect the tax against the value of residence homesteads exempted under this subsection until the debt is discharged if the cessation of the levy would impair the obligation of the contract by which the debt was created. The legislature shall provide for formulas to protect school districts against all or part of the revenue loss incurred by the implementation of this subsection. The legislature by general law may prescribe procedures for the administration of this subsection.

SECTION 2.  The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 87th Legislature, Regular Session, 2021, to exempt from ad valorem taxation the total market value of the residence homesteads of certain elderly persons and their surviving spouses.

(b)  Section 1-b(t), Article VIII, of this constitution takes effect January 1, 2022.

(c)  This temporary provision expires January 1, 2023.

SECTION 3.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 2021. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to exempt from ad valorem taxation the total market value of the residence homestead of a person 80 years of age or older or the person's surviving spouse."