

By: King of Uvalde

H.B. No. 4411

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the property tax appraisal option of rural utilities
3 for rendering market value for property which falls into multiple
4 tax jurisdictions.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 23 of the Texas Tax Code is amended by
7 adding new sub-chapter 23.191 to read as follows:

8 Sec. 23.191. APPRAISAL OPTION FOR PROPERTY OWNED BY RURAL
9 UTILITIES.

10 (a) In this section a rural utility shall have an option for
11 the equitable market value appraisal of its utility plant which in
12 located, and provides service, in multiple county taxing
13 jurisdictions.

14 (b) If an appraisal district receives a written notice for
15 the appraisal of real property, improvements, and personal property
16 of a rural utility, the chief appraiser shall accept the rural
17 utility's rendition of its property as the presumptive market value
18 for purposes of determining the appropriate value on which a tax is
19 imposed under this title.

20 (c) An appraisal under this section applies to the tax year
21 in which a request is made under this section only if the request is
22 received by the appraisal district on or before March 1 of each
23 year. If a request is not timely made then the appraisal will be
24 made pursuant to the other applicable provisions of this title,

1 including Section 22.01(h).

2 (d) The presumptive fair market value of the property
3 pursuant to this section shall be 20 percent of the rural utility's
4 net book value of its taxable property. A rural utility invoking
5 its option pursuant to this chapter shall provide to the chief
6 appraiser a certified accounting report of its property's net book
7 value, based on the independently-audited books of the rural
8 utility.

9 (e) The presumption established by this chapter may be
10 overcome, by either the rural utility or the chief appraiser, by a
11 preponderance of the evidence otherwise.

12 (f) A "rural utility" under this section is defined as an
13 entity that is subject to the provisions of Sec. 56.032 of the Texas
14 Utilities Code.