

By: Bettencourt

S.B. No. 1424

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the date for ordering or holding an election to ratify
3 the ad valorem tax rate of a school district; making conforming
4 changes.

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

6 SECTION 1. Section 11.4391(a), Tax Code, is amended to read
7 as follows:

8 (a) The chief appraiser shall accept and approve or deny an
9 application for an exemption for freeport goods under Section
10 11.251 after the deadline for filing it has passed if it is filed on
11 or before the later of:

- 12 (1) June 1 [~~15~~]; or
13 (2) if applicable, the 60th day after the date on which
14 the chief appraiser delivers notice to the property owner under
15 Section 22.22.

16 SECTION 2. Sections 22.23(a) and (b), Tax Code, are amended
17 to read as follows:

18 (a) Rendition statements and property reports must be
19 delivered to the chief appraiser after January 1 and not later than
20 April 1 [~~15~~], except as provided by Section 22.02.

21 (b) On written request by the property owner, the chief
22 appraiser shall extend a deadline for filing a rendition statement
23 or property report to a date not later than May 1 [~~15~~]. The chief
24 appraiser may further extend the deadline an additional 15 days

1 upon good cause shown in writing by the property owner.

2 SECTION 3. Sections 25.19(a) and (g), Tax Code, are amended
3 to read as follows:

4 (a) By April 15 [~~1~~] or as soon thereafter as practicable [~~if~~
5 ~~the property is a single-family residence that qualifies for an~~
6 ~~exemption under Section 11.13, or by May 1 or as soon thereafter as~~
7 ~~practicable in connection with any other property~~], the chief
8 appraiser shall deliver a clear and understandable written notice
9 to a property owner of the appraised value of the property owner's
10 property if:

11 (1) the appraised value of the property is greater
12 than it was in the preceding year;

13 (2) the appraised value of the property is greater
14 than the value rendered by the property owner;

15 (3) the property was not on the appraisal roll in the
16 preceding year; or

17 (4) an exemption or partial exemption approved for the
18 property for the preceding year was canceled or reduced for the
19 current year.

20 (g) By April 15 [~~1~~] or as soon thereafter as practicable [~~if~~
21 ~~the property is a single-family residence that qualifies for an~~
22 ~~exemption under Section 11.13, or by May 1 or as soon thereafter as~~
23 ~~practicable in connection with any other property~~], the chief
24 appraiser shall deliver a written notice to the owner of each
25 property not included in a notice required to be delivered under
26 Subsection (a), if the property was reappraised in the current tax
27 year, if the ownership of the property changed during the preceding

1 year, or if the property owner or the agent of a property owner
2 authorized under Section 1.111 makes a written request for the
3 notice. The chief appraiser shall separate real from personal
4 property and include in the notice for each property:

5 (1) the appraised value of the property in the
6 preceding year;

7 (2) the appraised value of the property for the
8 current year and the kind of each partial exemption, if any,
9 approved for the current year;

10 (3) a detailed explanation of the time and procedure
11 for protesting the value; and

12 (4) the date and place the appraisal review board will
13 begin hearing protests.

14 SECTION 4. Section 25.22(a), Tax Code, is amended to read as
15 follows:

16 (a) By May 1 [~~15~~] or as soon thereafter as practicable, the
17 chief appraiser shall submit the completed appraisal records to the
18 appraisal review board for review and determination of protests.
19 However, the chief appraiser may not submit the records until the
20 chief appraiser has delivered the notices required by Sections
21 11.45(d) [~~Subsection (d) of Section 11.45~~], 23.44(d) [~~Subsection~~
22 ~~(d) of Section 23.44~~], 23.57(d) [~~Subsection (d) of Section 23.57~~],
23 23.79(d) [~~Subsection (d) of Section 23.79~~], 23.85(d) [~~Subsection~~
24 ~~(d) of Section 23.85~~], 23.95(d) [~~Subsection (d) of Section 23.95~~],
25 23.9805(d) [~~Subsection (d) of Section 23.9805~~], and [~~Section~~
26 25.19].

27 SECTION 5. Sections 26.01(a), (a-1), and (e), Tax Code, are

1 amended to read as follows:

2 (a) By July 10 [~~25~~], the chief appraiser shall prepare and
3 certify to the assessor for each taxing unit participating in the
4 district that part of the appraisal roll for the district that lists
5 the property taxable by the taxing unit. The part certified to the
6 assessor is the appraisal roll for the taxing unit. The chief
7 appraiser shall consult with the assessor for each taxing unit and
8 notify each taxing unit in writing by April 1 of the form in which
9 the roll will be provided to each taxing unit.

10 (a-1) If by July 5 [~~20~~] the appraisal review board for an
11 appraisal district has not approved the appraisal records for the
12 district as required under Section 41.12, the chief appraiser shall
13 not later than July 10 [~~25~~] prepare and certify to the assessor for
14 each taxing unit participating in the district an estimate of the
15 taxable value of property in that taxing unit.

16 (e) Except as provided by Subsection (f), not later than May
17 15 [~~April 30~~], the chief appraiser shall prepare and certify to the
18 assessor for each county, municipality, and school district
19 participating in the appraisal district an estimate of the taxable
20 value of property in that taxing unit. The chief appraiser shall
21 assist each county, municipality, and school district in
22 determining values of property in that taxing unit for the taxing
23 unit's budgetary purposes.

24 SECTION 6. Sections 26.04(b), (e), and (e-2), Tax Code, are
25 amended to read as follows:

26 (b) The assessor shall submit the appraisal roll for the
27 taxing unit showing the total appraised, assessed, and taxable

1 values of all property and the total taxable value of new property
2 to the governing body of the taxing unit by July 15 [~~August 1~~] or as
3 soon thereafter as practicable. By July 15 [~~August 1~~] or as soon
4 thereafter as practicable, the taxing unit's collector shall
5 certify the anticipated collection rate as calculated under
6 Subsections (h), (h-1), and (h-2) for the current year to the
7 governing body. If the collector certified an anticipated
8 collection rate in the preceding year and the actual collection
9 rate in that year exceeded the anticipated rate, the collector
10 shall also certify the amount of debt taxes collected in excess of
11 the anticipated amount in the preceding year.

12 (e) By July 22 [~~August 7~~] or as soon thereafter as
13 practicable, the designated officer or employee shall submit the
14 rates to the governing body. By July 27, the [~~The~~] designated
15 officer or employee shall post prominently on the home page of the
16 taxing unit's Internet website in the form prescribed by the
17 comptroller:

18 (1) the no-new-revenue tax rate, the voter-approval
19 tax rate, and an explanation of how they were calculated;

20 (2) the estimated amount of interest and sinking fund
21 balances and the estimated amount of maintenance and operation or
22 general fund balances remaining at the end of the current fiscal
23 year that are not encumbered with or by corresponding existing debt
24 obligation; and

25 (3) a schedule of the taxing unit's debt obligations
26 showing:

27 (A) the amount of principal and interest that

1 will be paid to service the taxing unit's debts in the next year
2 from property tax revenue, including payments of lawfully incurred
3 contractual obligations providing security for the payment of the
4 principal of and interest on bonds and other evidences of
5 indebtedness issued on behalf of the taxing unit by another
6 political subdivision and, if the taxing unit is created under
7 Section 52, Article III, or Section 59, Article XVI, Texas
8 Constitution, payments on debts that the taxing unit anticipates to
9 incur in the next calendar year;

10 (B) the amount by which taxes imposed for debt
11 are to be increased because of the taxing unit's anticipated
12 collection rate; and

13 (C) the total of the amounts listed in Paragraphs
14 (A)-(B), less any amount collected in excess of the previous year's
15 anticipated collections certified as provided in Subsection (b).

16 (e-2) By July 22 [~~August 7~~] or as soon thereafter as
17 practicable, the chief appraiser of each appraisal district shall
18 deliver by regular mail or e-mail to each owner of property located
19 in the appraisal district a notice that the estimated amount of
20 taxes to be imposed on the owner's property by each taxing unit in
21 which the property is located may be found in the property tax
22 database maintained by the appraisal district under Section 26.17.
23 The notice must include:

24 (1) a statement directing the property owner to an
25 Internet website from which the owner may access information
26 related to the actions taken or proposed to be taken by each taxing
27 unit in which the property is located that may affect the taxes

1 imposed on the owner's property;

2 (2) a statement that the property owner may request
3 from the county assessor-collector for the county in which the
4 property is located or, if the county assessor-collector does not
5 assess taxes for the county, the person who assesses taxes for the
6 county under Section 6.24(b), contact information for the assessor
7 for each taxing unit in which the property is located, who must
8 provide the information described by this subsection to the owner
9 on request; and

10 (3) the name, address, and telephone number of the
11 county assessor-collector for the county in which the property is
12 located or, if the county assessor-collector does not assess taxes
13 for the county, the person who assesses taxes for the county under
14 Section 6.24(b).

15 SECTION 7. Section 26.05(a), Tax Code, is amended to read as
16 follows:

17 (a) The governing body of each taxing unit shall adopt a tax
18 rate for the current tax year and shall notify the assessor for the
19 taxing unit of the rate adopted. The governing body must adopt a
20 tax rate before the later of September 30 or the 60th day after the
21 date the certified appraisal roll is received by the taxing unit,
22 except that the governing body must adopt a tax rate that exceeds
23 the voter-approval tax rate before August 15 [~~not later than the~~
24 ~~71st day before the next uniform election date prescribed by~~
25 ~~Section 41.001, Election Code, that occurs in November of that~~
26 ~~year~~]. The tax rate consists of two components, each of which must
27 be approved separately. The components are:

1 (1) for a taxing unit other than a school district, the
2 rate that, if applied to the total taxable value, will impose the
3 total amount described by Section 26.04(e)(3)(C), less any amount
4 of additional sales and use tax revenue that will be used to pay
5 debt service, or, for a school district, the rate calculated under
6 Section 44.004(c)(5)(A)(ii)(b), Education Code; and

7 (2) the rate that, if applied to the total taxable
8 value, will impose the amount of taxes needed to fund maintenance
9 and operation expenditures of the taxing unit for the next year.

10 SECTION 8. Section 26.08, Tax Code, is amended by amending
11 Subsection (b) and adding Subsection (b-1) to read as follows:

12 (b) Except as provided by Subsection (b-1), the ~~[The]~~
13 governing body shall order that the election be held in the school
14 district on the ~~[next]~~ uniform election date prescribed by Section
15 41.001, Election Code, that occurs in November of the applicable
16 tax year. The order calling the election may not be issued later
17 than August 15 ~~[after the date of the election order and that allows~~
18 ~~sufficient time to comply with the requirements of other law]~~. At
19 the election, the ballots shall be prepared to permit voting for or
20 against the proposition: "Ratifying the ad valorem tax rate of ____
21 (insert adopted tax rate) in (name of school district) for the
22 current year, a rate that will result in an increase of ____
23 (insert percentage increase in maintenance and operations tax
24 revenue under the adopted tax rate as compared to maintenance and
25 operations tax revenue in the preceding tax year) percent in
26 maintenance and operations tax revenue for the district for the
27 current year as compared to the preceding year, which is an

1 additional \$_____ (insert dollar amount of increase in maintenance
2 and operations tax revenue under the adopted tax rate as compared to
3 maintenance and operations tax revenue in the preceding tax year)."

4 (b-1) Notwithstanding Section 41.0011(a), Election Code, an
5 emergency election under Section 41.0011 of that code at which a
6 proposition described by Subsection (b) of this section is
7 submitted to the voters shall be held on any uniform election date.

8 SECTION 9. Section 41.12(a), Tax Code, is amended to read as
9 follows:

10 (a) By July 5 [~~20~~], the appraisal review board shall:

11 (1) hear and determine all or substantially all timely
12 filed protests;

13 (2) determine all timely filed challenges;

14 (3) submit a list of its approved changes in the
15 records to the chief appraiser; and

16 (4) approve the records.

17 SECTION 10. The changes in law made by this Act apply to the
18 ad valorem tax rate of a taxing unit beginning with the 2022 tax
19 year.

20 SECTION 11. Sections 11.4391(a) and 22.23(a) and (b), Tax
21 Code, as amended by this Act, apply only to ad valorem taxes imposed
22 for a tax year beginning on or after January 1, 2022.

23 SECTION 12. (a) Not later than the 30th day after the date
24 this section takes effect, the comptroller of public accounts shall
25 mail a written notice to each appraisal district and the assessor
26 for each taxing unit in this state of any change made by this Act to
27 the deadline for complying with a requirement, duty, or function of

1 an appraisal district or taxing unit.

2 (b) This section takes effect immediately if this Act
3 receives a vote of two-thirds of all the members elected to each
4 house, as provided by Section 39, Article III, Texas Constitution.
5 If this Act does not receive the vote necessary for immediate
6 effect, this section takes effect on the 91st day after the last day
7 of the legislative session.

8 SECTION 13. Except as otherwise provided by this Act, this
9 Act takes effect January 1, 2022.