

BILL ANALYSIS

Senate Research Center
88R4780 MLH-F

H.B. 4077
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Local Government
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State law entitles a person who receives a residence homestead property taxation exemption in a tax year to receive the mandatory residence homestead exemption for those 65 years of age or older, as well as any local option exemption for those 65 years of age or older, on the same property in the next tax year without applying for the exemption if the person becomes 65 years of age in that next year. Currently, however, such a person may be required to request that those exemptions be applied. H.B. 4077 seeks to require the chief appraiser of an appraisal district to automatically apply the exemptions, as applicable, without application or request by the taxpayer.

H.B. 4077 amends current law relating to the procedure for qualifying for an exemption from ad valorem taxation of the residence homestead of an elderly person.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.43(m), Tax Code, as follows:

(m) Provides that if a person who receives an exemption under Section 11.13 (Residence Homestead), other than an exemption under Section 11.13(c) (relating to providing that an adult who is disabled or is 65 years or older is entitled to an exemption from taxation by a school district of \$10,000 of the appraised value of his residence) or (d) (relating to providing that an individual who is disabled or is 65 or older is entitled to an exemption from taxation by a taxing unit of a portion of the appraised value of his residence homestead under certain conditions) for an individual 65 years of age or older, in a tax year becomes 65 years of age in the next tax year, the person, notwithstanding Subsections (a) (relating to requiring a person claiming the exemption, other than an exemption authorized by certain sections, to apply for the exemption to receive an exemption) and (k) (relating to requiring a person who qualifies for an exemption to apply for the exemption no later than the first anniversary of the date the person qualified for the exemption), is entitled to receive and the chief appraiser is required to allow an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older in that next tax year on the same property without requiring the person to apply for or otherwise request the exemption if the person's age is shown by certain information.

Deletes existing text providing that a person who receives an exemption under Section 11.13, other than an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older, in a tax year is entitled to receive an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older in the next tax year on the same property without applying for the exemption if the person becomes 65 years of age in the next year as shown by certain information.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: January 1, 2024.