

BILL ANALYSIS

Senate Research Center
88R18770 TJB-F

H.B. 4456
By: Harris, Cody (Bettencourt)
Local Government
5/19/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4456 amends current law relating to the calculation of certain ad valorem tax rates of a school district.

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 5.07(f), Tax Code, as follows:

(f) Requires the Comptroller of Public Accounts of the State of Texas (comptroller) to prescribe tax rate calculation forms to be used by the designated officer or employee of each taxing unit, rather than each taxing unit other than a school district, to calculate and submit the no-new-revenue tax rate and the voter-approval tax rate for the taxing unit as required by Chapter 26 (Assessment).

Deletes existing text requiring the comptroller to prescribe tax rate calculation forms to be used by the designated officer or employee of each school district to calculate and submit the no-new-revenue tax rate and the voter-approval tax rate for the district as required by Chapter 26 and submit the rate to maintain the same amount of state and local revenue per weighted student that the district received in the school year beginning in the preceding tax year as required by Chapter 26.

SECTION 2. Amends Section 26.012(18), Tax Code, to redefine "no-new-revenue maintenance and operations rate."

SECTION 3. Amends Section 26.05(b), Tax Code, as follows:

(b) Requires that the vote on the ordinance, resolution, or order setting a tax rate that exceeds the rate calculated as provided by Section 44.004(c)(5)(A)(ii) (relating to requiring that a notice of public meeting to discuss and adopt the budget and the proposed tax rate meet certain criteria, including contain a section entitled "Comparison of Proposed Rates with Last Year's Rates," which is required to show in rows certain tax rates expressed as amounts per \$100 valuation of property, for columns entitled "Maintenance & Operations," "Interest & Sinking Fund," and "Total," in which the "Rate to Maintain Same Level of Maintenance & Operations Revenue & Pay Debt Service" consists of certain tax rates), Education Code, rather than a tax rate that exceeds the sum of the no-new-revenue maintenance and operations tax rate of the district as determined under Section 26.08(i) (relating to the definition of "enrichment tax rate") and the district's current debt rate, for a school district, be a record vote, and at least 60 percent of the members of the governing body is required vote in favor of the ordinance, resolution, or order.

SECTION 4. Amends Section 26.17(b), Tax Code, as follows:

(b) Requires that the database created and maintained by the chief appraiser of each appraisal district include, with respect to each property listed on the appraisal roll for the appraisal district:

(1)-(5) makes no changes to these subdivisions;

(6) for each school district in which the property is located, certain information including the tax rate that would maintain the same amount of state and local revenue per student, rather than per weighted student, that the district received in the school year beginning in the preceding tax year;

(7)-(8) makes no changes to these subdivisions;

(9) for each school district in which the property is located, the taxes that would be imposed on the property if the district adopted a tax rate equal to certain amounts, including the tax rate that would maintain the same amount of state and local revenue per student, rather than per weighted student, that the district received in the school year beginning in the preceding tax year; and

(10)-(14) makes no changes to these subdivisions.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: January 1, 2024.