

BILL ANALYSIS

Senate Research Center
88R9841 SHH-F

S.B. 2005
By: LaMantia
Local Government
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

What does this bill do?

- S.B. 2005 requires the Comptroller of Public Accounts of the State of Texas (comptroller) to prescribe a standard appraisal review board (ARB) order form and requires an ARB to use the form in making written orders.
- It alters the Tax Code to ensure the standard ARB order form includes:
 - the property owner's name
 - the property's identification number
 - the property's legal description and physical address, and
 - any other information the comptroller determines necessary
- It applies only to ARB orders issued on or after the effective date of January 1, 2024.

How does this bill do it?

- S.B. 2005 amends Section 5.07 of the Tax Code to establish a standard ARB order form.
- Section 5.07 of the Texas Tax Code maintains that the comptroller "shall prescribe the contents of all forms necessary for the administration of the property tax system and on request shall furnish sufficient copies of model forms of each type to the appropriate local officials."

Background and Purpose:

- An ARB is a group authorized to resolve disputes between taxpayers and the appraisal district. An appraisal district is responsible for determining the value of the county's property.
- Currently, there is no uniform paperwork related to ARB orders. This can make it difficult for homeowners to understand the necessary forms and cause confusion across separate entities. The inconsistency slows the ARB's hearing determination procedures. A uniform ARB order form would alleviate this lack of consistency and increase transparency in the process.

Fiscal Impact:

- None anticipated.

As proposed, S.B. 2005 amends current law relating to the form of an appraisal review board order determining a protest.

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, Tax Code, by adding Subsection (k), as follows:

(k) Requires the Comptroller of Public Accounts of the State of Texas (comptroller) to prescribe the form that an appraisal review board (ARB) is required to use to make a determination required to be made by written order under Title 1 (Property Tax Code). Requires that the form require an ARB to include for the property subject to the order the

property owner's name, the property's identification number, the property's legal description and physical address, and any other information the comptroller determines necessary. Requires the comptroller to post the form on the comptroller's Internet website.

SECTION 2. Amends Section 25.25, Tax Code, by adding Subsection (q), to require an ARB to issue a written order under Section 25.25 (Correction of Appraisal Roll) using the form prescribed by the comptroller under Section 5.07(k).

SECTION 3. Amends Section 41.07(a), Tax Code, to require the ARB to determine each challenge and make its decision by written order using the form prescribed by the comptroller under Section 5.07(k).

SECTION 4. Amends Section 41.47(a), Tax Code, to require the ARB hearing a protest to determine the protest and make its decision by written order using the form prescribed by the comptroller under Section 5.07(k).

SECTION 5. Requires the comptroller to prescribe and post on the comptroller's Internet website the form required by Section 5.07(k), Tax Code, as added by this Act, not later than the effective date of this Act.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: January 1, 2024.