88R18895 CJC/TJB-D

By:  Meyer, Bonnen, Burrows, Thierry, Raymond, H.J.R. No. 1

     et al.

Substitute the following for H.J.R. No. 1:

By:  Raymond C.S.H.J.R. No. 1

A JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes and to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 1, Article VIII, Texas Constitution, is amended by amending Subsection (i) and adding Subsection (i-1) to read as follows:

(i)  Notwithstanding Subsections (a) and (b) of this section, the Legislature by general law may limit the maximum appraised value of real property [~~a residence homestead~~] for ad valorem tax purposes in a tax year to the lesser of the most recent market value of the property [~~residence homestead~~] as determined by the appraisal entity or 105 [~~110~~] percent, or a greater percentage, of the appraised value of the property [~~residence homestead~~] for the preceding tax year. A limitation on appraised values authorized by this subsection:

(1)  takes effect in the tax year following the first tax year in which the owner owns the property on January 1 [~~as to a residence homestead on the later of the effective date of the law imposing the limitation or January 1 of the tax year following the first tax year the owner qualifies the property for an exemption under Section 1-b of this article~~]; and

(2)  expires on January 1 of the [~~first~~] tax year following the tax year in which [~~that neither~~] the owner of the property when the limitation took effect ceases to own the property, except that the Legislature by general law may provide for the limitation applicable to a residence homestead to continue during ownership of the property by [~~nor~~] the owner's spouse or surviving spouse [~~qualifies for an exemption under Section 1-b of this article~~].

(i-1)  For purposes of Subsection (i) of this section, the Legislature by general law may define real property, which may include a manufactured or mobile home used as a dwelling.

SECTION 2.  Section 22, Article VIII, Texas Constitution, is amended by adding Subsection (a-1) to read as follows:

(a-1)  Appropriations from state tax revenues not dedicated by this constitution that are made for the purpose of paying for ad valorem tax relief as identified by the legislature by general law are not included as appropriations for purposes of determining whether the rate of growth of appropriations exceeds the limitation prescribed by Subsection (a) of this section.

SECTION 3.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes and to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations."