

By: Cook

H.B. No. 4263

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the waiver under certain circumstances of the
3 late-correction penalty if an appraisal roll is changed as a result
4 of the filing of a motion with the appraisal review board to correct
5 an error that resulted in an incorrect appraised value for an
6 owner's property.

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

8 SECTION 1. Section 25.25, Tax Code, is amended by amending
9 Subsection (d-1) and adding Subsection (d-2) to read as follows:

10 (d-1) If the appraisal roll is changed under Subsection (d),
11 the property owner must pay to each affected taxing unit a
12 late-correction penalty equal to 10 percent of the amount of taxes
13 as calculated on the basis of the corrected appraised value.
14 Payment of the late-correction penalty is secured by the lien that
15 attaches to the property under Section 32.01 and is subject to
16 enforced collection under Chapter 33. The penalty imposed under
17 this subsection does not apply if the property that is the subject
18 of the motion filed under Subsection (d) was under construction on
19 January 1 and the error that resulted in an incorrect appraised
20 value for the property was a result of the chief appraiser:

21 (1) appraising the property as though construction was
22 complete on that date; or

23 (2) inaccurately determining the percentage by which
24 construction of the property was complete on that date.

1 (d-2) An appraisal [~~The~~] roll may not be changed under
2 Subsection (d) if:

3 (1) the property was the subject of a protest brought
4 by the property owner under Chapter 41, a hearing on the protest was
5 conducted in which the property owner offered evidence or argument,
6 and the appraisal review board made a determination of the protest
7 on the merits; or

8 (2) the appraised value of the property was
9 established as a result of a written agreement between the property
10 owner or the owner's agent and the appraisal district.

11 SECTION 2. The change in law made by this Act applies only
12 to a late-correction penalty that relates to a motion filed under
13 Section 25.25(d), Tax Code, on or after the effective date of this
14 Act. A late-correction penalty that relates to a motion filed under
15 Section 25.25(d), Tax Code, before the effective date of this Act is
16 governed by the law in effect when the motion was filed, and the
17 former law is continued in effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2023.